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सं० 1]

नई दिल्ली, शनिवार, जनवरी 3, 1998/पौष 13, 1919

No. 1]

NEW DELHI, SATURDAY, JANUARY 3, 1998/PAUSA 13, 1919

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
Separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

कामिनी, लोक शिक्षण तथा पेशन मंत्रालय

(कामिक और प्रशिक्षण विभाग)

नई दिल्ली, 19 दिसम्बर, 1997

का०अ० 1 :—केंद्रीय सरकार एतद्वारा अतः की
और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987
(1987 का अधिनियम, सं० 28) की धारा 13 की उप-
धारा (1) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग
करते हुए श्री पवित्र सिंह भारद्वाज, अधिवक्ता, जम्मू और
कश्मीर उच्च न्यायालय, निवासी नालाब दिल्ली, जम्मू का
अतिक्रमण और विध्वंसकारी क्रियाकलाप (निवारण)
अधिनियम, 1987 की धारा 9 के उपबन्धों के अधीन गठित
जम्मू स्थित न.म.निर्दिष्ट न्यायालय में विशेष जांच कक्ष-II
दिल्ली विशेष पुलिस, स्थापना, केंद्रीय अन्वेषण द्यूना, नई

दिल्ली द्वारा अन्वेषित और संस्थित मामलों यथा (1) आरसी
1 (एम)/90-एमआईटी-5/एमआईटी-II/सीबीआई/नई दिल्ली
(वर्ग संत. कामिक हत्याकांड) (2) आरसी 2 (एम)/90
एमआईटी-5/एमआईटी-II/सीबीआई/नई दिल्ली (लास. कोन
हत्याकांड) (3) आरसी 3 (एम)/90-एमआईटी-5
एमआईटी-II/सीबीआई/नई दिल्ली (मीर मुस्तफा हत्याकांड)
(4) आरसी 4 (एम)/90-एमआईटी-5/एमआईटी-II/सीबीआई
नई दिल्ली (बी०के० राजू हत्याकांड) (5) आरसी 5
(एम)/90-एमआईटी-5/एमआईटी-II/सीबीआई/नई दिल्ली
(बलपति बी० सी० हत्याकांड) (6) आरसी 6 (एम)/90
-एमआईटी-5/एमआईटी-II/सीबीआई/नई दिल्ली (एच०एल०
खेड़ा हत्याकांड) और (7) आरसी 1 (एम)/92-एमआईटी-5/
एमआईटी-II/सीबीआई/नई दिल्ली (पुनिस महानिदेशक
के कार्यालय में बम विस्फोट संबंधी मामला) के

अभियोजन तथा इन मामलों से संबंधित और उक्त अधिनियम के अधीन उद्भूत किसी अन्य विषय का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं० 225/49/97-एवीडी-II(i)]

हरि सिंह, अवर सचिव

MINISTRY OF PERSONNEL, PG & PENSIONS

(Department of Personnel & Training)

New Delhi, the 19th December, 1997

S.O. 1.—In exercise of the powers conferred by the proviso to sub-section (1) of Section 13 of the Terrorist & Disruptive Activities (Prevention) Act 1987 (Act No. 28 of 1987), the Central Government hereby appoints Shri Pavitar Singh Bhardwaj, Advocate J & K High Court, C/o. Talab Tillo, Jammu as Special Public Prosecutor for conducting prosecution of the cases namely (i) RC 1 (S)'90-SIU. V/CBI/SIC. II/New Delhi (Air Force personnel murder case), (ii) RC 2(S)'90-SIU. V/CBI/SIC. II/New Delhi (Lassa Kaul Murder case), (iii) RC 3(S)'90-SIU. V/CBI/SIC. II/New Delhi (Mir Mustafa Murder case), (iv) RC 4(S)'90-SIU. V/CBI/SIC. II/New Delhi (B. K. Ganjoo Murder case), (v) RC 5(S)'90-SIU V/CBI, SIC/II/New Delhi (V. C. Murder case), (vi) RC 6(S)'90-SIU. V/CBI/SIC. II/New Delhi (H.L. Khera Murder case) & (vii) RC 1(S)'92-SIU. V/SIC. II/CBI/New Delhi (DGP office Bomb Blast case) and any other matter connected therewith and arising under the said Act, investigated and instituted by the Special Investigation Cell-II of Delhi Special Police Establishment, Central Bureau of Investigation, New Delhi in the Designated Court at Jammu constituted under the provisions of Section 9 of Terrorist & Disruptive Activities (Prevention) Act, 1987.

[No. 225/49/97-AVD. II(i)]

HARI SINGH, Under Secy.

नई दिल्ली, 19 दिसम्बर, 1997

का०आ० 2 :—केन्द्रीय सरकार एतद्वारा आतंकवादी और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 (1987 का अधिनियम सं० 28) की धारा 13 की उपधारा (1) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री माखन लाल शुक्ल, अधिवक्ता, जम्मू और कश्मीर उच्च न्यायालय, निवासी 366-ए, राजपुरा, शक्ति नगर चौक, जम्मू तवी को आतंकवादी और विध्वंसकारी क्रियाकलाप (निवारण) अधिनियम, 1987 की धारा 9 के उपबन्धों के अधीन गठित जम्मू स्थित नामनिर्दिष्ट न्यायालय में विशेष जांच कक्ष-II, दिल्ली विशेष पुलिस स्थापना, केन्द्रीय अववेक्षण ब्यूरो, नई दिल्ली द्वारा अन्वेषित और संस्थित मामलों यथा (1) आरसी 7 (एस)/90-5/सीबीआई/एसआईसी-II/नई दिल्ली (डा० रुबिया सईद अपहरण मामला), (2) आरसी 8 (एस)/90-एसआईयू-5/सीबीआई/एसआईसी-II/नई दिल्ली (मौलवी फारूख हत्याकांड) (3) आरसी 4/91-एसआईयू-5/

सीबीआई/एसआईसी-II/नई दिल्ली (धर्मवीर हत्याकांड) (4) आरसी 6 (एस)/91-एसआईयू-5/सीबीआई/एसआईसी-II/नई दिल्ली (नहीदा अपहरण मामला) (5) आरसी 9 (एस)/91 एसआईयू-5/सीबीआई/एसआईसी-II/नई दिल्ली (वांचू हत्याकांड) और (6) आरसी 3(एस)/94-एसआईयू-5/सीबीआई/एसआईसी-II/नई दिल्ली (फिरदौस अहमद खान का मामला) के अभियोजन तथा इन मामलों से संबंधित और उक्ते अधिनियम के अधीन उद्भूत किसी अन्य विषय का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं० 225/49/97-एवीडी-II (II)]

हरि सिंह, अवर सचिव

New Delhi the 19th December, 1997

S.O. 2.—In exercise of the powers conferred by the proviso to sub-section (1) of Section 13 of the Terrorist & Disruptive Activities (Prevention) Act 1987 (Act No. 28 of 1987), the Central Government hereby appoints Shri Makhan Lal Thusoo, Advocate, J&K High Court r/o 366-A Rajpura, Shakti Nagar Chowk, Jammu Tawi as Special Public Prosecutor for conducting prosecution of the cases namely (i) RC 7(S)'90-SIU, V/CBI/SIC. II/New Delhi (Dr. Rubiya Sayeed Kidnapping case), (ii) RC 8(S)'90-SIU. V/CBI/SIC. II/New Delhi (Maulvi Farooq Murder case), (iii) RC 4(S)'91-SIU. V/CBI/SIC. II/New Delhi (Dharambir Murder case), (vi) RC 3(S)'94-SIU, V/CBI/SIC. II, New Delhi (Naheeda kidnapping case), (v) RC 9(S)'92-SIU V/CBI/SIC. II/New Delhi (Wanchoo Murder case), (iv) RC 3(S)'94-SIU, V/CBI/SIC. II, New Delhi (Firdous Ahmed Khan case) and any other matter connected therewith and arising under the said Act, investigated and instituted by the Special Investigation Cell-II of Delhi Special Police Establishment, Central Bureau of Investigation, New Delhi in the Designated Court at Jammu Constituted under the provisions of Section 9 of Terrorist & Disruptive Activities (Prevention) Act, 1987.

[No. 225/49/97-AVD. II(ii)]

HARI SINGH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आयकर, महानिदेशक (छूट) का कार्यालय

कलकत्ता, 2 सितम्बर, 1997

आयकर

का.आ. 3.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

(1) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहियां रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग "प्रौद्योगिकी भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम : भारतीय विद्या भवन, के.एम. मुंशी मार्ग,
मुम्बई-400007

यह अधिसूचना दिनांक 1-4-97 से 31-3-98 तक की अवधि के लिये प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिये लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र की विभाग को प्रस्तुत करना है। उस आवेदन पत्र को छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिये सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या 1742/एफ.सं. म.नि./आ.क. (छूट)/
एम. 42/कल./35(1)(ii)/90-91]

मुकेश कुमार, अपर निदेशक आयकर (छूट)

MINISTRY OF FINANCE

(Department of Revenue)

(Office of the Director General of Income Tax
(Exemption)

Calcutta, the 2nd September, 1997

INCOME-TAX

S.O. 3.—It is hereby notified for general information that the organisation mentioned below has been approved by the prescribed Authority

under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Bharatiya Vidya Bhavan,
K. M. Munshi Marg,
Bombay-400007.

This Notification is effective for the period from 1-4-97 to 31-3-98.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1742/F. No. DG/IT(E)/M-42/CAL/35(1)
(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income-tax
(Exemptions)

कलकत्ता, 10 सितम्बर, 1997

आयकर

का. आ. 4.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर, "सम्मान" के सर्वर के अधीन अनुमोदित किया गया है—

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रांछासिकी भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम : बाई जेर्बाई वादिया हार्स्पिटल फॉर चिल्ड्रन एण्ड इन्स्टीट्यूट ऑफ चैल्ड हेल्थ रिसर्च सोसायटी, आचार्या डोंडे मार्ग, पार्ले, मुम्बई-400012

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिये प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संघ के लिये लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र को विभाग को प्रस्तुत करता है। उस आवेदन पत्र को छ. प्रतियां अनुमोदन की

अवधि बढ़ाने के लिये सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1743/एफ. सं. म. नि./आ. क.
(छूट)/एम. 28/35(1)(ii)/90-91]
मुकुंश कुमार, अपर निदेशक आयकर (छूट)

Calcutta, the 10th September, 1997

INCOME-TAX

S.O. 4.—It is hereby notified for general information that the organisation mentioned below has been approved by the prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Bai Jerbai Wadia Hospital for Children and Institute of Child Health Research Society, Acharya Donde Marg, Parle, Mumbai-400012.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of

Income-tax Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1743/F. No. DG-IT(E)-M-28/35(1)(ii)-90-91]

MUKESH KUMAR, Addl. Director of Income-tax (Exemptions)

कलकत्ता, 10 सितम्बर, 1997

आयकर

का. आ. 5.—सर्वसाधारण को एतद्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन," न्यू मेहरोली रोड, नई दिल्ली 110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमात्र को भी प्रस्तुत करेगा।

संगठन का नाम . शिवसदन रिनूएबल नर्जी रिसर्च इंस्टीट्यूट 192/3, इण्डस्ट्रियल एस्टेट संगली-416416 (महाराष्ट्र)

यह अधिसूचना दिनांक 1-4-96 में 31-3-99 तक की अवधि के लिये प्रभावी है।

टिप्पणी . 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिये लागू नहीं होगा।

2 संगठन को सूत्राव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट)

जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र को प्रतियां विभाग को प्रस्तुत करना है। उक्त आवेदन-पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिये सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजनी है।

[संख्या. 1744/एफ.सं.स.नि./आ.क (छूट)/एम.-155/35(1)(ii)/90-91]

मुकेश कुमार, अपर निदेशक आयकर (छूट)

Calcutta, the 10th September, 1997

INCOME-TAX

S.O. 5.—It is hereby notified for general information that the organisation mentioned below has been approved by the prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :—

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Shivsadan Renewable Energy Research Institute, 192/3, Industrial Estate, Sangli-416416 (Maharashtra).

This Notification is effective for the period from 1-4-96 to 31-3-99.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax [Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1744/F. No. DG/IT(E)/M-155/35(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income-tax (Exemptions)

कलकत्ता, 10 सितम्बर, 1997

आयकर

का.आ. 6.—सर्वसाधारण को पत्रव्द्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित अधिकारी द्वारा निम्नलिखित शर्तों पर “संघ” के संवर्ग के अधीन अनुमोदित किया गया है:—

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, ‘प्रौद्योगिकी भवन’, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक व तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाद को भी प्रस्तुत करेगा।

यह अधिसूचना दिनांक 31-10-96 से 31-3-99 तक की अवधि के लिये प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) “संघ” जैसा संवर्ग के लिये लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिये सीवा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजी जायें।

[संख्या : 1715/फा.सं. म.वि./आ.क. (छूट)/टी.एन.-§1/35(1)(ii)/90-91]
मुकेश कुमार, अपर निदेशक आयकर (छूट)

Calcutta, the 10th September, 1997

INCOME-TAX

S.O. 6.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Association” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, ‘Technology Bhawan’ New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax [Director of Income-tax (Exemptions), having jurisdiction over the organisation by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited In-

संगठन का नाम : मशम इन्वैस्टिगटिव रिसर्च फाउण्डेशन, 44, गोवापीनाह हाई रोड, गोवापीनाह, मद्रास-600014

come and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Madras Diabetes Research Foundation, 44, Royapettah High Road, Royapettah, Madras-600014.

This Notification is effective for the period from 31-10-96 to 31-3-99.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1745|F. No. DG|IT(E)|TN-81|35(1)(ii)|90-91]

MUKESH KUMAR, Addl. Director of Income-tax (Exemptions)

कलकत्ता, 10 सितम्बर, 1997

आयकर

का.आ. 7.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिये अलग लेखा बहियां रखेगा,
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष के 31 मई तक, सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, “न्यू मेहरोली रोड, नई दिल्ली-110016” को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्तूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट),

जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिजर्व किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाव को भी प्रस्तुत करेगा।

संगठन का नाम : फाउण्डेशन फॉर इन्वेस्टिगेशन ऑफ टेक्नोलॉजी ट्रांसफर, इंडियन इंस्टीट्यूट ऑफ टेक्नोलॉजी, हीज खास, नई दिल्ली-110016

यह अधिसूचना दिनांक 3-6-94 से 31-3-96 तक की अवधि के लिये प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) “संघ” जैसा संवर्ग के लिये लागू नहीं होगा।

2. संगठन को सूचाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिये आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किये आवेदन-पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिये सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजी जाती है।

[संख्या : 1746/एफ.सं.म.नि./आ.क.
(छूट)/एन.डी.-147/35(1)(ii)/90-91]

मुकेश कुमार, अपर निदेशक आयकर (छूट)

Calcutta, the 10th September, 1997

INCOME TAX

S.O. 7.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its Research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016

for every financial year by 31st May of each year; &

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Foundation for Innovation and Technology Transfer, Indian Institute of Technology, Hauz Khas, New Delhi-110016.

This Notification is effective for the period from 3-6-94 to 31-3-96.

Notes :—1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1746/F. No. DG/IT(E)/ND-147/35/
(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of
Income-Tax (Exemptions)

कलकत्ता, 10 मितम्बर, 1997

आयकर

का०आ० 8. —सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संघ” के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन न्यू मेहरोली रोड, नई दिल्ली 110016 को भेजगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिमिच किया गया संबंधित छूट के बारे में लेखा परीक्षित आय व्यय हिमाव को भी प्रस्तुत करेगा।

संगठन का नाम

नीम्बकार एग्रीकलचरल रिमिच इंस्टीट्यूट,
पी ओ बॉक्स 44, फलनान 415523,
महाराष्ट्र।

यह अधिसूचना दिनांक 1-4-1997 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1747/एफ०सं०म०नि०/आ०क० (छूट)/एम० 16/
कल०/35 (1) (ii)/90-91]

मुकेश कुमार, अपर निदेशक आयकर (छूट)

Calcutta, the 10th September, 1997

INCOME TAX

S.O. 8.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the income-tax Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the

category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan" New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Nimbkar Agricultural Research Institute, P.O.
Box 44, Phaltan-415523, Maharashtra.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1747|F. No. DG|IT(E)|M-16|CAL|35|
(1)(ii)|90-91]

MUKESH KUMAR, Addl. Director of
Income Tax (Exemptions).

कलकत्ता, 22 सितम्बर, 1997

आयकर

का०आ० 9.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संघ" के संवर्ग के अधीन अनुमोदित किया गया है।

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा,
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिकी भवन न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

औरोविले फाउण्डेशन, भारत निवास, औरोविले,
पांडीचेरी-605101।

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संघ" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1748/एफ०सं०म०नि०/आ०क० (छूट)/टी०एन०-
53/35(1) (ii)/90-91]

मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 22nd September, 1997

INCOME TAX

S.O. 9.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax, Rules, for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan" New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Auroville Foundation, Bharat Nivas, Auroville, Pondicherry-605101.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, Six

copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1748/F. No. DG/IT(E)/TN-53/35]
(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of
Income-Tax (Exemptions)

कलकत्ता, 23 सितम्बर, 1997

आयकर

का०आ० 10.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संव" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

महाराष्ट्र मेडीकल रिसर्च सोसाइटी,
778, शिवाजी नगर, ओपो. कमला नेहरू पार्क,
पुणे-411004।

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

- 2 संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को

तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1749/एफ.सं.म.नि./आ.क. (छूट)/एम-154/कल./35 (1) (ii)/90-91]

मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 23rd September, 1997

INCOME TAX

S.O. 10.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Maharashtra Medical Research Society, 778, Shivajinagar, Opp. Kamala Nehru Park, Pune-411004.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (1) above will not apply to organisations categoriesd as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1749|F. No. DG|IT(E)|M-154/CAL|35(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income-Tax (Exemptions)

कलकत्ता, 23 सितम्बर, 1997

आयकर

का.आ. 11.—सबसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

श्री राम सेंट्रीफक एण्ड इंडस्ट्रीयल रिसर्च फाउण्डेशन संस्कृति भवन, झंडेवालान, नई दिल्ली-110055

यह अधिसूचना दिनांक 1-4-96 से 31-3-99 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्त (1) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र को विभाग को प्रस्तुत करना है। उस आवेदन पत्र को छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1750/एफ.सं.नि./आ.क. (छूट)/
एन.डी. 87/कल./35(1) (ii)/90-91]
मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 23rd September, 1997

INCOME TAX

S.O. 11.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, “Technology Bhawan”, New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax [Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Shri Ram Scientific & Industrial Research Foundation, Sanskriti Bhavan, Jhandewalan, New Delhi-110055.

This Notification is effective for the period from 1-4-96 to 31-3-99.

- Notes :—1. Conditions (1) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax [Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1750/F. No. DG/IT(E)/ND-87/
CAL/35(1) (ii)/90-91]

MUKESH KUMAR, Addl. Director of
Income Tax (Exemptions)

कलकत्ता, 26 सितम्बर, 1997

आयकर

का.आ. 12.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” के संवर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा परीक्षित आय व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

विटल माल्या सांटीफिक रिसर्च फाउण्डेशन,

1, विटल माल्या रोड, बंगलौर-560001

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्तें (1) "संध" जैसा संयर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महा निदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[सं. 1751/एफ.सं. म.नि./आ.क. (छूट)/के.टी.-1/कल/35-
(1) (ii)/90-91]

मुकुंश कुमार, अ.प. निदेशक आयकर (छूट)

Calcutta, the 26th September, 1997

INCOME TAX

S.O. 12.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to that (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of

audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Vittal Mallya Scientific Research Foundation,
1, Vittal Mallya Road, Bangalore-560001.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

- Notes :—1. Condition (1) above will not apply to organisations categoriesd as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1751|F. No. DG|IT(E)|KT-1/
CAL|35(1) (ii)/90-91]

MUKESH KUMAR, Addl. Director of
Income Tax (Exemptions)

कलकत्ता, 29 अक्तूबर, 1997

आयकर

का.आ. 13.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संयर्ग के अधीन अनुमोदित किया गया है :—

- (i) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'प्रौद्योगिकी' भवन, न्यू महरोली रोड, नई दिल्ली-110016 को भेजेगा, और

- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर, तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

सेन्टर फोर अर्थ साइंस स्टडीज,

पी. बी. नं. 7250

थूरुविककल पी. ओ., त्रिवन्द्रम-695031

यह अधिसूचना दिनांक 1-4-96 से 31-3-99 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) "सर्व" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियां में आवेदन करे, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की विभाग को प्रस्तुत करना है। उस आवेदन-पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1752/एफ.सं.म.नि./आ.क. (E)/के.-8/कल./35(1)(ii)/90-91]

मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 29th October, 1997

INCOME TAX

S.O. 13.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan',

New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &

- (iii) It will submit to that (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Centre for Earth Science Studies, P. B. No. 7250, Thuruviikkal P.O., Trivandrum-695031.

This Notification is effective for the period from 1-4-96 to 31-3-99.

Note :—1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1752|F. No. DC|IT(E)|K-8/CAL|35(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income Tax (Exemptions)

कलकत्ता, 29 अक्टूबर, 1997

आयकर

का.आ. 14.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के लिए आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

- संगठन अनुसंधान कार्यों के लिए अलग लेखा-बहियां रखेगा।

- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू महारौली रोड, नई दिल्ली-110016 को भेजेगा, और
- (iii) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

विपासना रिसर्च इंस्टीट्यूट, ग्रीन हाऊस, मेक्रेण्ड फ्लोर,
ग्रीन स्ट्रीट, फोर्ट, मुंबई-400023

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (i) "संव" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की विभाग को प्रस्तुत करना है। उस आवेदन पत्र की छ. प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजनी है।

[संख्या : 1753/एफ.सं.भ.नि./आ.क. (छूट)/
एम.-140/कल/35(1)(ii)/90-91]

मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 29th October, 1997

INCOME TAX

S.O. 14.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for the research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mahrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &

(iii) It will submit to that (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Vipassana Research Institute, Green House, Second Floor, Green Street, Fort, Mumbai-400023.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1753|F. No. DG|IT(E)|M-140|Cal-35(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income-tax (Exemptions).

कलकत्ता, 29 अक्टूबर, 1997

आयकर

का. आ. 15.—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "प्रौद्योगिकी भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा, और

(3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दो गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाब को भी प्रस्तुत करेगा।

संगठन का नाम

सेन्ट्रल पावर रिसर्च इंस्टीट्यूट, पी. बी. नं. 9401,
नई बी. ई. एल. रोड, आर. एम. पी. एक्सटें. स्टेज-II
पी. ओ.) बंगलूर--560094

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (1) "संध" जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की विभाग को प्रस्तुत करना है। उक्त आवेदन पत्र की छः प्रतियां अनुमोदन की अवधि बढ़ाने के लिए सीधा सचिव वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1754/एफ.सं.म.नि./आ.क. (छूट)
के.टी.-17/कल/35 (1)(ii)/90-91]
मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 29th October, 1997

INCOME TAX

S.O. 15.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the pur-

poses of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for the research activities;

(ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mahrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &

(iii) It will submit to that (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax|Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Central Power Research Institute, P. B. No. 9401, New BEL Road, RVM Extn. Stage-II (PO), Bangalore-560094.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax|Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1754|F. No. DG|IT(E)|KT-17|CAL| 35(1)(ii)/90-91]

MUKESH KUMAR, Addl. Director of Income Tax (Exemptions)

कलकत्ता, 29 अक्टूबर, 1997

आयकर

का. आ. 16:—सर्वसाधारण को एतद्वारा सूचित किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर “संस्थान” के संवर्ग के अधीन अनुमोदित किया गया है :—

- (1) संगठन अनुसंधान कार्यों के लिए अलग लेखा बहियां रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए प्रत्येक वर्ष के 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, प्रौद्योगिकी भवन, न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा; और
- (3) यह प्रत्येक वर्ष के 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक तथा औद्योगिक अनुसंधान विभाग और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च किया गया संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

इलेक्ट्रॉनिक्स रिसर्च एण्ड डेवलपमेंट सेन्टर ऑफ इंडिया, एलेक्ट्रॉनिक्स निकेतन डिपार्ट ऑफ एलेक्ट्रॉनिक्स, 6, सी. जी. ओ. कॉम्प्लेक्स, लोदी रोड, नई दिल्ली-110003।

यह अधिसूचना दिनांक 1-4-97 से 31-3-2000 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्त (1) “संघ” जैसा संवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त आयकर/निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की बिभाग को प्रस्तुत करना है। उस आवेदन पत्र की छः प्रतियां अनुमोदन अवधि बढ़ाने के लिए सीधा सचिव

वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग के पास भेजना है।

[संख्या : 1755/एफ.सं. म.नि./आ.क. (छूट)/
एन. डी. 143/35 (1) (ii) 90-91]

मुकेश कुमार, अपर निदेशक, आयकर (छूट)

Calcutta, the 29th October, 1997

INCOME TAX

S.O. 16.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category “Institution” subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for the research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, ‘Technology Bhawan’, New Mahrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to that (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax [Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Electronics Research & Development Centre of India, Electronics Nikatan, Dept. of Electronics, 6, C.G.O. Complex, Lodhi Road, New Delhi-110003.

This Notification is effective for the period from 1-4-97 to 31-3-2000.

Notes :—1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax

(Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 1755/F.No. DG/IT(E)/ND-143/
35(I)(ii)/90-91]

MUKESH KUMAR, Addl. Director of
Income-tax (Exemptions).

आदेश

नई दिल्ली, 15 दिसम्बर, 1997

स्टाम्प

क. आ. 17—भारतीय स्थापना अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उस मुलक को सीफ करणी है जो शिपिंग चित्त निगम, ब्रिटीश द्वारा—

(क) 20-2-1991 को आवंटित किये गये मात्र एक सौ दानव लाख और पचास हजार रुपये के समग्र मूल्य के 11.5% पञ्चपत्रों 2011 (iii टांच) 39वीं श्रृंखला);

(ख) 19-9-91 को आवंटित किये गये मात्र चार करोड़ और पचास लाख रुपये के समग्र मूल्य के 11.5% पञ्चपत्रों 2011 (I टांच) (40वीं श्रृंखला) और

(ग) 12-1-92 को आवंटित किये गये मात्र चार करोड़ चालीस लाख रुपये के समग्र मूल्य के 12% पञ्चपत्रों 2012 (II टांच) (41वीं श्रृंखला) के रूप में वित्तित प्रामिसरी नोटों के स्वयं के बंधपत्रों पर उस अधिनियम के तहत प्रभाव है।

[सं. 51/97-स्टाम्प, सं. 33/31, 34/95-व. क.]

एस. कुमार, डायर सचिव

ORDER

New Delhi, the 15th December, 1997

STAMPS

S.O. 17.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as—

(a) 11.5% HFC Bonds-2011 (Ird Tranche) (39th Series) aggregating to rupees one hundred ninety two lakhs and fifty thousand only allotted on 20-2-1991;

(b) 11.5% HFC Bonds-2011 (1st Tranche) (40th Series) aggregating to rupees four crores and forty lakhs only allotted on 9-9-1991; and

(c) 12% HFC Bonds-2012 (Ird Tranche) (41st Series) aggregating to rupees four crores forty lakhs only allotted on 12-1-1992

by Haryana Financial Corporation, Chandigarh are chargeable under the said Act.

[No. 51/97-STAMPS, E. No. 33/31, 34/95/ST]

S. KUMAR, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 15 दिसम्बर, 1997

का. आ. 18.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खण्ड (क) के अन्वय में, केन्द्रीय सरकार, एतद्वारा श्री जी. डी. वाडिया, विशेष सहायक, सूचना व्यवस्था, जिला मजिस्ट्रेट (प्रशासन) की दिनांक 12-12-1997 से 14-12-2000 तक सीफ करणी की अवधि के लिए या जब तक कि बैंक बैंक आफ इंडिया के एक कर्मचारी के रूप में अपनी सेवा छोड़ नहीं देता है) इन बैंकों जो पहले ही, सेंट्रल बैंक आफ इंडिया के निदेशों के तहत निदेशक नियुक्त करती है।

[फा. सं. 15/4/97-आई आर]

एस. कुमार, डायर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 15th December, 1997

S.O. 18.—In pursuance of clause (c) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with Sub-Clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri G. D. Wadia, Special Assistant, Surat Main Branch, Distt. Surat (Gujarat) as a Director on the Board of Directors of Central Bank of India for a period of three years with effect 15-12-1997 to 14-12-2000 or until he ceases to be a workman employee of Central Bank of India whichever is earlier.

[F. No. 15/4/97-IR]

C. B. PRASAD, Under Secy.

नई दिल्ली, 16 दिसम्बर, 1997

का. आ. 19.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3)

के खण्ड (क) के अनुसरण में, केन्द्रीय सरकार एतद्वारा श्री- श्रीकान्त सीताराम-मैनजोगे, विशेष सहायक, मुम्बई शाखा, मुम्बई को दिनांक 16-12-1997 से 15-12-2000 तक तीन वर्ष की अवधि के लिए यह एक एक वे यूनाइटेड बैंक ऑफ इंडिया के एक कर्मकार के रूप में अपनी सेवा छोड़ नहीं देते हैं, उनमें से जो पहले हो, यूनाइटेड बैंक ऑफ इंडिया के निदेशक मंडल में निदेशक के रूप में नियुक्त करती है।

[फा. सं. 15/2/97-आईआर]

सी.बी. प्रसाद, अवसर सचिव

New Delhi, the 16th December, 1997

S.O. 19.—In pursuance of clause (c) of Sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with Sub-Clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri Shrikant Sitaram Menjoge, Special Assistant, Mumbai Branch, Mumbai as a Director on the Board of Directors of United Bank of India for a period of three years with effect from 16-12-1997 to 15-12-2000 or until he ceases to be a workman employee of United Bank of India whichever is earlier.

[F. No. 15/2/97-IR]

C. B. PRASAD, Under Secy.

उद्योग मंत्रालय

लघु उद्योग एवं कृषि और ग्रामीण उद्योग विभाग)

नई दिल्ली, 11 दिसम्बर, 1997

कां.आ. 20.—कयूर उद्योग अधिनियम, 1953 (1953 का 45) की धारा 4 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री क्रिस्टी एल. फर्नान्डीस, भा.प्र. सं. (गुजरात: 1973) को 24 नवम्बर, 1997 के पूर्वानुक्ति से अगले आदेशों तक कयूर बोर्ड, कोच्चिन का अध्यक्ष नियुक्त करती है।

[फा. सं. 2(13)/91-कयूर]

बेनी राम, अवसर सचिव

MINISTRY OF INDUSTRY

(Department of Small Scale Industries and Agro and Rural Industries)

New Delhi, the 11th December, 1997

S.O. 20.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Coir Industry Act, 1953 (45 of 1953), the Central Government hereby appoints Shri Christy L. Fernandez, I.A.S. (Gujarat 1973) as Chairman, Coir Board, Cochin with effect from the forenoon of the 24th November, 1997, until further orders.

[F. No. 2(13)/91-Coir]

BENI RAM, Under Secy.

नागरिक पूति, उपभोक्ता मामले और सावजनिक वितरण मंत्रालय

भारतीय मानक ब्यूरो

नई दिल्ली, 15 दिसम्बर, 1997.

का. आ. 21.—संभारतीय मानक ब्यूरो (प्रमाणन) नियम 1988 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है किजिन लाइसेंसों के विवरण नीचे अनुसूची में दिये गये हैं, वे स्वीकृत कर दिये गये हैं:-

अनुसूची

क्रम	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पता	शीर्षक भारतीय मानक	भारतीय मानक सं./भाग/अनुभाग/वर्ष
(1)	(2)	(3)	(4)	(5)	(6)
1.	5050242	95/08	अगरपाई जूट मिल्स लि., बी.टी. रोड, कमारहट्टी, कलकत्ता-700058	वस्त्रादि-अनाज भरने के लिये बी-टबिल पेटसन के बोरे	आई एस 02566: 93
2.	5049257	95/08	रज्जव हंटर प्राइवेट, 135 जी.टी. रोड (वेस्ट), कोनागर, हुगली	अग्नि होज प्रदाय युग्मन शाखा पाइप नोजल और नोजल पीमे की विशिष्टि	आई एस 00903: 93

(1)	(2)	(3)	(4)	(5)	(6)
3.	7083570	95/08	एवकान कंट्रोल्स प्रा. लि., प्लॉट नं. 65, रोड, नं. 15, एम आई डी सी एरिया, अंधेरी (पू.) बम्बई-400093	बिजली के आवरणों के लिये ज्वाला सह आवरण	आई एस 02148 : 81
4.	7082770	95/08	आचार्या इंडस्ट्रीज, 110 आशीर्वाद इंड. एस्टेट नं. 4, प्रथम तल, राम मंदिर रोड, गोरेगांव (प.) बम्बई-400104	घरेलू और समान कार्यों के लिये स्विच	आई एस 03854 : 88
5.	7083772	95/08	भारत इंडस्ट्रीज, प्लॉट नं. 110, सैमशन 4 ए, समीप स्टेट बैंक आफ इंडिया, उल्हासनगर-421003	तेलदाब स्टोव और तेल दाब हीटर के लिये बर्नर	आई एस 08808 : 86
6.	7083368	95/08	एविटा एम्पलायेसेंस 110 निम्गोस बिल्डिंग, कामा एस्टेट, गोरेगांव (पू.) बम्बई-400063	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त फरेलू गैस चूल्हे	आई एस 04246 : 92
7.	7082568	95/08	ईगल सीमेंट पाइप्स एण्ड कंक्रीट वर्क्स 604, इंडस्ट्रियल एस्टेट, संगली-416410	पूर्व क्लित कंक्रीट पाइप (प्रबलन सहित और रहित)	आई एस 00458 : 88
8.	7084774	95/08	एमके इंटरप्राइसेज, डब्ल्यू-11 एफ गाने खाडपोली इंडस्ट्रियल एरिया, चिपलून, रतनागिरी जिला-415605	फ्लोरोसेंट लैम्पों के लिये वैलास्ट (चौक) भाग 1 स्विच चालित परिपथों हेतु	आई एस 01534 : 77 भाग 01
9.	7084370	95/08	हैलिओस फूड एंडीटिवल प्रा. लि. डब्ल्यू 11 एफ गरले खाडपोली इंडस्ट्रियल एरिया, चिपलून रतनागिरी जिला-415605	खाद्य ग्रेड कैल्शियम परोपीयमिट	आई एस 06031 : 71
10.	7082063	95/08	हिन्दुस्तान ट्रांसमिशन प्राइवेट लि. एच-15 एम आई डी सी एरिया, वालूज, औरंगाबाद	इनैमल किये गोल बाईडिंग तारें	आई एस 04800 : 68
11.	7084168	95/08	नेशनल इंडस्ट्रीज, एफ/17, ठक्करटार इंड. एस्टेट, नवयर रोड, मायन्दर (पू.) ठाणै-401105	घरेलू और समान कार्यों के लिये स्विच	आई एस 03854 : 88
12.	7084976	95/08	देलेक्स इंडस्ट्रीज, डी-115, बोनाजा इंड. एस्टेट, अशोक चक्रवर्ती रोड, कांडीवडी (ई) बम्बई-400101	घरेलू और समान कार्यों के लिये स्विच	आई एस 03854 : 88
13.	7084166	95/08	कुंवरजी वेष्णी एण्ड कं. प्रा. लि.; भक्तकवि शिवजीभाई, वेष्णी मार्ग, गोवर्न्दीवर्न्स, समीप गोवन्दी रेलवे स्टेशन, बम्बई-400038	जल टाइप सुबाह्य अग्निशामक यंत्र	आई एस 00934 : 89

(1)	(2)	(3)	(4)	(5)	(6)
14.	7083267	95/08	कुंठरजी देवूशी एण्ड कं. प्रा. लि., भक्तकवि शिवजीभाई पेशी मार्ग, गोबन्दी वरस, बम्बई-400038	सुभाह्य अग्निशामक यंत्र, शुष्क पाउडर (कार्टिज टाइप)	आई एस 02171 : 85
15.	7082669	95/08	नायड्स मेटल्स एण्ड इंजीनियर्स लिमिटेड एम-1 ए डी एम आई डी सी कुडावली गांव, मरबाद थाने जिला	संरचना प्रयोजनों के लिये इस्पात के पाईप	आई एस 01161 : 79
16.	7082164	95/08	नेशनल इंडस्ट्रीज 24 नूतन कौमीकल कम्पाउंड दूसरा तल, बालभट लेन गोरेगांव (पू.) बम्बई-400063	सीलिंग रोज़	आई एस 00371 : 79
17.	7082972	95/08	औसवाल स्टोन प्राइक्ट्स यूनिट नं. 211-212 नवयुग इंड. एस्टेट, जीवराज रोड, सेवरी, बम्बई-400015	तेलदाब स्टोव	आई एस 01342 : 88
18.	7082265	95/08	सोल-रे एप्लायसेस प्रा. लि., 29/2 खराडी गांव, जिला पुणे, पुणे-411014	खनिज भरे खोलदार तापन एलिमेंट	आई एस 04159 : 83
19.	7082366	95/08	सोल-रे एप्लायसेस प्रा. लि., 29/3, खराडी गांव, जिला पुणे पुणे-411014	बिजली के पानी गर्म करने के भंडारण किस्म के स्थिर हीटर	आई एस 02082 : 93
20.	7083469	95/08	सिल्बासा पालीटेक्स इंडस्ट्रीज (इंडिया) प्रा. लि., रखोली इंडस्ट्रियल एस्टेट, रखोली, दादरा एवं नगर हवेली-396230	पेयजल आपूर्ति के लिये गैर- प्लास्टिकृत पीवीसी पाईप	आई एस 04985 : 88
21.	7083974	95/08	उत्तम इंडस्ट्रीज, 5302 जी आई डी सी इंडस्ट्रियल एस्टेट, फेस 4, वतवा, अहमदाबाद-382445	निमज्जनीय पम्पसैटों की बिनिष्ठि	आई एस 08034 : 76
22.	8103060	95/08	विकास इंडस्ट्रीज, 714/20 चेताराम मार्केट, गोपाल नगर, अशोक नगर, नई दिल्ली-110018	सजावटी लाइटिंग फ़ाउंट- फिट	आई एस 05077 : 69
23.	8107967	95/08	मैट्रो एप्लायसेस प्रा. लि. बी-12 एवं 13, सैक्टर 4, नोएडा, जिला गाजियाबाद (उ.प्र.)	बिजली के टेबल फैन और रैगुलेटर	आई एस 00555 : 79
24.	8108363	95/08	विजय केबल इण्ड., बी-8, बी-9, सैक्टर 1, नोएडा, गाजियाबाद	अनुप्रस्थ जुड़े हुए पाली- इथाइलीन विद्युतरोधी ताप स्थायी ठले केबल	आई एस 07098 : 93

1	2	3	4	5	6
25. 9091882	95/08	जय श्री रसायन उद्योग लि., जी.टी. रोड, गांव एवं डाक नाथूपुर, सोनीताल।	जिफा संस्केत कृषि ग्रेड	आई एस 08249 : 76	
26. 9083984	95/08	मै. से. धुरी पल्प एंड पेपर, पी.ओ. लीम कुआं, नैनीताल	बुबिकीथ करैक्टर पहचान चैक की छपीई की कागज	आई एस 11087 : 86	
27. 9088489	95/08	मै. इ. एम. सी. स्टील लि., पी.ओ. मिर्जापुर, रोड, नैनी	शिरोपरि प्रेषण कार्यों के लिए	आई एस 00398 : 76 भाग 02	
28. 9076886	95/08	मै. जे. के. डेयरी एण्ड फूड्स लिमि., 3-किल्सी स्टोन हसनपुर, गजरौला, मुरादाबाद, मुरादाबाद-244235	मैलोई सहित दूध पाउडर, 3-किल्सी स्टोन हसनपुर, गजरौला, मुरादाबाद, मुरादाबाद-244235	आई एस 13334 : 92 भाग 01	
29. 9087891	95/08	मै. के. सारभाई एण्ड कं., 28, आई.एस.के.आई. मोहल्ला, नदान महेश रोड, लखनऊ-226004	फसले संरक्षण उपस्कर- पाकिस्तानी	आई एस 03652 : 82	
30. 9077181	95/08	मै. लखनऊ प्रो.को-ऑपरेटिव मिल्क यूनियन लि., 28 जोप्लिंग रोड, लखनऊ।	मैलोई सहित दूध पाउडर, भाग 1 मानक ग्रेड	आई एस 13334 : 92 भाग 01	
31. 9079084	95/08	मै. एम. बी. प्लाईवुड इंडस्ट्रीज प्रा. लि., पी.ओ. दानपुर, रुद्रापुर, नैनीताल	लकड़ी के सपाट दरवाजे के शटर (ठोस कोर प्रकार) भाग 1 प्लाईवुड सतहयुक्त पल्ले	आई एस 02202 : 91 भाग 01	
32. 9088590	95/08	मै. एम. बी. इंडस्ट्रीज, प्लॉट मै. बी-4, भाइट 1, इंडस्ट्रियल एरिया, उन्नाव।	कैल्शियम अम्लीय के लिए गैर प्लास्टिक पीवीसी पाइप	आई एस 04985 : 88	
33. 9081980	95/08	मै. आर.के. प्रोकास्ट कंक्रीट मैनुफैक्चर्स एण्ड सप्लायर्स, आर 20, डी 58 खलीमोबेदि हिल्स, एरिया, बस्ती	पूर्व हॉलस कंक्रीट पाइप (प्रधानम सहित और रहित)	आई एस 00458 : 88	
34. 9083580	95/08	मै. रतन वनस्पति लि., ए-8, यू पी एस आई डी सी इंड. एरिया, गजरौला, मुरादाबाद।	वनस्पति	आई एस 10633 : 83	
35. 9079185	95/08	मै. मोहं बायर इंडस्ट्रीज, कैजरीपुर, पी.ओ. मुल्लनपुर, पार्क, वसिणसी	इनेमेल क्लिफ गोल वाईथिंग पार्क	आई एस 004800 : 68 भाग 01	

(1)	(2)	(3)	(4)	(5)	(6)
36. 9088388	95/08	सै. जे. के. डेयरी एंड फूड्स लिमि. दूध पाउडर कारखाना, 3 कि मी. पत्थर, हमनपुर, गजगौला, मुरादाबाद मुरादाबाद-244235	विश्वविद्यालय, आई एम 040185 : 82		
37. 9088691	95/08	स्वरूप केमिकल्स, वाटर वकर्स रोड, पेशवाग, लखनऊ -226004	24-डी सीडियम लवण, नकलीकी प्रैड	आई एम 04488 : 89	
38. 7085877	95/08	जे के बी एम लि., 133-134, जी आई डी सी, इंडस्ट्रियल एस्टेट, अंकलेश्वर, जिला भरुच, 393002	बिराम बीज उपचारण, फार्मलेशन	आई एम 04783 : 82	
39. 7085574	95/08	कन्या विस्मय, सीमेंट प्रा. लि. गांव तिमबा, तालुक खेराल, मेहसाणा जिला, उत्तरी गुजरात ।	43-ग्रेड साधारण पोर्टलैंड आई एम 08112 : 78		
40. 8110148	95/08	एरेक्स इलेक्ट्रिक इंडस्ट्रीज, 138-बी, ओल्ड गुप्ता कालोनी, समीप राणा प्रताप बाग, दिल्ली 110009	खुनिज शर खोलदार तापन एलीमेट	आई एम 04159 : 83	
41. 8110552	95/08	एममन इलेक्ट्रो एप्लाइडमेज, सी-35, राजधानी मार्केट, टैगोर गार्डन एक्सटेंशन, नई दिल्ली-110027	विजनी के पानी गर्म करने के अल्ट्रासोनिक सिस्टम के विश्व-हस्त	आई एम 02082 : 93	
42. 810868	95/08	ब्रह्मी लैम्प इंडस्ट्रीज, 872-गोतम गली नं. 3, जवाला नगर, ग्राहदरा, दिल्ली 110032	टंगस्टन तंतु के सामान्य सेवा की बिजली के लैम्प	आई एम 00418 : 78	
43. 8110653	95/08	आर. के. लैम्पस, डब्ल्यू जैड-1, 24 बत्ताक के सामने, मोती नगर, नई दिल्ली-110015	टंगस्टन तंतु के सामान्य सेवा के बिजली के लैम्प	आई एम 00418 : 78	
44. 8110451	95/08	एरेक्स इलेक्ट्रिक इंडस्ट्रीज, 138-बी, ओल्ड गुप्ता कालोनी, समीप राणा प्रताप बाग, दिल्ली-110009	विजनी और मंगान बिजुत है साधारण की सुरक्षा अनु. 201-पानी अनु. 201 समीप के ड्रिफ्ट डीट	आई एम 00302 : 92	भाग 02
45. 8109769	95/08	सैनी कं. इंडस्ट्रीज, खुसरा नं. 106/1, गांव पूठकला, दिल्ली 110041	250 बाल्ट तंतु की ग्रेडि-बाल्टता और 16 एम्पीयर तक की ग्रेडि-भाग के लिए प्लग साकेट आउटलेट	आई एम 01293 : 88	

(1)	(2)	(3)	(4)	(5)	(6)
46.	8109062	95/08	थर्मोकिंग ए-24, नारायणा इंड० एरिया, फेज 1, नई दिल्ली 110 028	पानी गर्म करने के इस्टैंड हीटर	आईएस 08978 : 85
47.	8109567	95/08	थर्मोकिंग ए-24, नारायणा इंड० एरिया, फेज 2, नई दिल्ली 110 028	बिजली के पानी गर्म करने के भंडारण किस्म के स्थिर हीटर	आईएस 02082 : 93
48.	8109668	95/08	थर्मोकिंग ए-24 नारायणा इंड० एरिया, फेज 1, नई दिल्ली 110 028	गर्म हवा के पंखे	आईएस 04283 : 81
49.	9092076	95/08	बालाजी सीमेंट उद्योग, हिसार रोड, तह० फतेहाबाद, जिला हिसार, भाटू 125 053	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 78
50.	9092581	95/08	डायमंड एग्रो इंड० लि०, गांव नालुगा, राष्ट्रीय राजमार्ग 1ए, मिरथल, तह० पठानकोट, जिला गुरदासपुर, नालुगा 145 101	वनस्पति	आईएस 10633 : 83
51.	9092884	95/08	हिम उद्योग, गांव कोटाई, पी०ओ० घाटी, जिला सोलन, सापरू 173 211	पूर्व दलित कंक्रीट पाइप (प्रबलन सहित और रहित)	आईएस 00458 : 88
52.	9093179	95/08	शिव शक्ति मिनरल्स गांव एवं पोस्ट बालाचूर, छपरोली-दाबुपुर रोड, छपरोली 135 103	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 78
53.	9093078	95/08	सुरज सोल्वेंट एंड वनस्पति इंड० लि०, गांव खिप्पानवासी, तह० फाजिल्का, जिला फिरोजपुर, खिप्पानवासी	वनस्पति	आईएस 10633 : 83
54.	9092682	95/08	विक्रान्त सीमेंट्स गांव औरंगाबाद, रादौड रोड, जिला यमुनानगर, औरंगाबाद 135 001	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 78
55.	9092177	95/08	ए०सी०सी० लि० (गगल सीमेंट वर्क्स) पी०ओ० बारमना, जिला बिलासपुर 174 013	53 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 12269 : 87
56.	9092278	95/08	धौलाधार सीमेंट्स (प्रा) लि०, पत्ती नाथा सिंह, सिरमौर, पोंदा साहिब	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 78

(1)	(2)	(3)	(4)	(5)	(6)
57.	9092480	95/08	ऋषि इलेक्ट्रिकल्स प्रा० लि०, छात्री, पी०ओ० खांडरोरी, जिला कांगड़ा 176 402	शिरोपरि प्रेषण कार्यों के लिये एल्युमीनियम के चालक	आईएस 00398 : 76
58.	6087068	95/08	अकाश इंटरप्राइसिज 641/1, एमटीएच रोड, अवादी, मद्रास 600 054	प्रेशर कुकरों के लिए रबड़ के गैसकेट	आईएस 07466 : 74
59.	9087068	95/08	ट्रोपिकल एग्रीसिस्टम प्रा० लि०, 530/2-बी, वानगाराम रोड, अम्बासूर, मद्रास 600 058	कीट नाशक-फोरेट जी संपुटित	आईएस 09359 : 80
60.	6086167	95/08	एसपीसी सुपर मेटर्स प्रा० लि०, 9/9 एच सिद्दीया रोड, बंगलूर 560 002	ए०सी० वाट घंटा मीटर, क्लास 0.5, 1 एवं 2	आईएस 13010 : 90
61.	6087472	95/08	साउथर्न पेस्टीसाइड्स कारपो० लि०, एरीकीरेवाला, समीप कोवयूर, जिला पू० गोदावरी	क्लोरोपाइरीफॉस पायस- नीय सांद्र	आईएस 08944 : 78
62.	6090057	95/08	हिन्दुस्तान लेटेक्स लिमिटेड, पी०बी० नं० 2, पेरुरकाडा, तिरुवनन्तापुरम 695 005	एक बार उपयोग वाले रबड़ के शल्य क्रिया दस्ताने	आईएस 13422 : 92
63.	6087371	95/08	प्राइमा एग्री प्रॉडक्ट्स लिमिटेड, 4/108 ई, फीड डिवीजन, इंडस्ट्रियल डवलपमेंट एरिया, मुप्पाथाडम, इडायार कोषीन, अर्नाकुलम 683 102	पशुओं के लिये मिश्रित आहार	आईएस 02052 : 79
64.	6090158	95/08	एसोसिएटेड ट्रेड लिक्स मिनी इंडस्ट्रियल एस्टेट, कीजमड, अलवय 683 005	मैग्नीशियम सल्फेट (एथसम लवण)	आईएस 02730 : 77
65.	6085973	95/08	कावेरी कंडक्टर्स प्रा० लि०, एनपी 7/957, इंड एस्टेट, पप्पनमकोडे, तिरुवनन्तापुरम 695 019	शिरोपरि प्रेषण कार्यों के लिये 2 एल्युमीनियम के चालक	आईएस 00398 : 76 भाग 02
66.	6086066	95/08	के०एस०बी० पम्प्स लि०, 151 मेटुपलायम रोड, एन०एस०ए० न० पलायाम पोस्ट, कोयम्बतूर 641 031	निमज्जन पंपसेटों के लिये मोटरें	आईएस 09283 : 79
67.	6087169	95/08	शाइन फलो 1454 टाडायम रोड, जीसीटी पोस्ट, कोयम्बतूर 641 013	एक फेज लघु ए०सी० और सर्विक बिजली की मोटर	आईएस 00996 : 79

(1)	(2)	(3)	(4)	(5)	(6)
68.	7084875	95/08	एलकॉन इलेक्ट्रिक इंडस्ट्रीज, शुक्ला एस्टेट, सिंह कम्पाउंड, सम्मुख अजित ग्लाम, एस वी रोड, जोगेश्वरी (प) बम्बई 400 102	घरेलू और समान कार्यों के लिये स्विच	आईएस 03854: 88
69.	7085271	95/08	इम्पीरियल इरीगेशन एण्ड बायोटेक प्राइवेट लिमिटेड, के-39, एमआईडीसी, एम्बाड़, 422 010	सिचाई उपस्कर-सिचाई सेटरनस	आईएस 12786: 89
70.	7084673	95/08	इंटरनेशनल इंडस्ट्रीयल प्रॉडक्ट्स यूनिट नं० 6, 7, 8 और 9 स्टेशन रोड गली नं० 31, सेक्शन 25 एनआर एमएसईबी ऑफिस, उल्हास नगर 421 004	पीवीसी रोधित (भारी कार्य) बिजली की केबल	आईएस 01554: 88 भाग 01
71.	7083671	95/08	जय इंडस्ट्रियल कारपोरेशन नं० 39, केम्पटी रोड, समीप पीली नन्दी, नागपुर 440 026	एस्बेस्टाम सीमेंट के भवन निर्माण पाइप तथा पाइपफिटिंग, गटर	आईएस 01626: 94
72.	7085170	95/08	प्लास्ट्रो इरीगेशन सिस्टम्स (इं) लि०, ब्लॉक नं० डी 1, प्लॉट नं० 10, एमआईडीसी, चिन्चवाड, पूणे 411 019	सिचाई उपस्कर-सिचाई सेटरनस	आईएस 12786: 89
73.	7084067	95/08	बामर लॉरी एण्ड कं० लि०, डी 195/2 टीटीसी इंड० एस्टेट, टर्मि, पी०बी० नं० 43, न्यू बम्बई 400 705	बंद मिरे वाले ड्रम	आईएस 01783: 93
74.	7084269	95/08	हरजीत स्टील इंडस्ट्रीज, 7374 बनजारा लेआउट, पीलिनाड़ी, काम्पटी रोड, नागपुर 440 026	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य बिन्दुपित इस्पात सरिसे और तार	आईएस 01786: 85
75.	7084471	95/08	कोंकण पेस्टीसाइड्स ए-4 एमआईडीसी, महाद, जिला रायगढ़	एंट्राजीन डबल्यू पी 4	आईएस 12931: 90
76.	7085069	95/08	टेलेक्स इंडस्ट्रीज, डी 115, इंड० एस्टेट, अशोक चक्रवर्ती रोड, कंडावली (पू) बम्बई 400 101	250 वोल्ट तक की रेटित वोल्टता और 16 एम्पी- यर तक की रेटित धारा के लिये प्लग माकेट आउटलेट	आईएस 01293: 88
77.	7087578	95/08	एग्रोनले इंडस्ट्रीज, पोर्ट रोड, धोंगा, भावनगर 364 005	कीट नाशक फोरेट जी मंपुटित	आईएस 09359: 80

(1)	(2)	(3)	(4)	(5)	(6)
78.	7086374	95/08	एम्पी पम्पस इंडस्ट्रीज, ए-2/2911, जीआईडीसी फेज 4, पीछे न्यू निरमा, वतवा, अहमदाबाद	निमज्जनीय पम्पसेट	आईएस 08034 : 76
79.	7086071	95/08	शालीमार इलेक्ट्रोनिक्स इंडस्ट्रीज, पार्सी संघपोरे, कैलास रोड, बलसाड़ (गुजरात)	घरेलू और समान कार्यों के लिए स्विच	आईएस 03854 : 88
80.	8107563	95/08	बबेजा एप्पलायसेस 6604/2 नीमवाला चौक नवी करीम, नई दिल्ली 110 055	ब्रॉड बैंड रीट्रोफिटिंग गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे	आईएस 04246 : 92
81.	8107664	95/08	डिजीफोक्स (इं) लि., 55 एवं 58 डी, नौएडा एक्सपोर्ट, ई प्रोसेसिंग जोन (एनडीपीएल) नौएडा (उ०प्र०)	एक बार उपयोग वाले रखरूख के शल्य क्रिया दस्ताने	आईएस 13422 : 92
82.	8108262	95/08	हरसन इंटरप्राइसेज 8/109 नेहरू गली, विप्रवास नगर, शाहदरा, नई दिल्ली 110 032	250 वोल्ट तक की रेटित वोल्टता और 16 एम्पी यर तक की रेटित धारा के लिये प्लग साकेट आउटलेट	आईएस 01293 : 88
83.	8108464	95/08	रचना इलेक्ट्रिकल्स प्रा० लि०, बी 10/10, ग्रुप इंड० एरिया बजीरपुर दिल्ली 110 032	घरेलू और समान विद्युत साधनों की सुरक्षा अनु० 201-पानी गमनि के डुबाउ हीटर	आईएस 00302 : 92 भाग 02 अनु० 201
84.	8107462	95/08	श्री दुर्गा इंडस्ट्रीज, 37, राम नगर, गली नं० 1, पहाड़ गंज नई दिल्ली 110 055	घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खण्ड 3 विद्युत इस्तरि	आईएस 00302 : 92 भाग 02 अनु० 03
85.	8108161	95/08	जेम्को इलेक्ट्रिकल इंडस्ट्रीज, एच नं० 383 गली नं० 5 बाग कडे खां, किशन गंज, दिल्ली 110 007	250 वोल्ट तक की रेटित वोल्टता और 16 एम्पी- यर तक की रेटित धारा के लिये प्लग साकेट आउट लेट	आईएस 01293 : 88
86.	8107361	95/08	रायत इलेक्ट्रिकल्स जे-99-98 विष्णु मार्केट नई दिल्ली 110 018	घरेलू और समान विद्युत साधनों की सुरक्षा अनु० 201-पानी गमनि के डुबाउ हीटर	आईएस 00302 : 92 भाग 02 अनु० 201
87.	8107866	95/08	सियूटेक इंजीनियर्स प्रा० लि०, सी-120 सेक्टर 2, नौएडा नौएडा 201 301	घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खण्ड 3 विद्युत इस्तरि	आईएस 00302 : 92 भाग 02 अनु० 03

(1)	(2)	(3)	(4)	(5)	(6)
88.	8108565	95/08	तोशबा एप्पलायसेस ए 24/ए गली नं० 4 आनन्द पर्वत, नई दिल्ली 110 005	घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरण। मक. अपक्षात खंड 3 विद्युत ईस्तरी	आईएम 00302 : 92 भाग 02 अनु० 03
89.	9092379	95/08	भारत इंजीनियर्स तह० नूरपुर, जिला कांगड़ा चक्षी	शिरोपरि प्रेषण कार्यों के लिये एल्यूमीनियम के चालक	आईएस 00398 : 76 भाग 04
90.	9091680	95/08	बारा केमिकल इंड० प्रा० लि०, 625 मॉडर्न इंडस्ट्रियल एस्टेट, जिला रोहतक, बहादुर गढ़	टंगस्टन तंतु के सामान्य सेवा बिजली के लैम्प	आईएस 00418 : 78
91.	8107765	95/08	अग्रवाल इलेक्ट्रिकल्स प्रा. लि., एफ-669, सीतापुरा इंड. एरिया, टोंक रोड (बाया बटिका) जयपुर 303 905	टंगस्टन तंतु के सामान्य सेवा बिजली के लैम्प	आईएस 00418 : 78
92.	8109264	95/08	चिरावा सीमेंट्स लिमिटेड, एफ-9 से एफ-17, रिको इंड. एरिया, चिरावा, झुनझुनू	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 89
93.	8107260	95/08	महावीर इंडस्ट्रीज, एसपी 1, फेस 1, इंडस्ट्रियल एरिया, बाडमेर 344 001	पानी की आपूर्ति के लिये गैर- प्लास्टिक पीबीसी पाइप	आईएस 04984 : 87
94.	8110047	95/08	मैक्सवेल इंडिया, एच-110, रिको इंड. एरिया, जैतपुरा, जयपुर।	ए. सी. वाट घंटा मीटर, क्लास 0.5, 1 एवं 2	आईएस 13010 : 90
95.	8110754	95/08	राजस्थान इंजीनियरिंग एण्ड कान्स्ट्रक्टर्स इंटरप्राइजिज, ए-45, इंडस्ट्रियल एरिया, सीकर 332 001	पानी की आपूर्ति के लिये, गैर-प्लास्टिक पीबीसी पाइप	आईएस 04984 : 87
96.	8108666	95/08	जोधपुर सीमेंट इंडस्ट्रीज प्रा. लि., ई/637 मरुधर इंडस्ट्रियल एरिया, बंसी, फेस 2, जोधपुर।	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 89
97.	8109365	95/08	केपगैन सीमेंट प्रा. लि., बी-67 मत्स्य इंड. एरिया, अलवर	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 89
98.	8108767	95/08	मोरेस सीमेंट्स इंडस्ट्रीज प्रा. लि., एफ-71, 72/जी-83, 84, 85 रिको इंड. एरिया, बेहरोड़	33 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 00269 : 89
99.	8108969	95/08	यूनाइटेड केबल इंडस्ट्रीज, ए-14, सेक्टर 4, नोएडा 201 301	1100 वोल्ट तक की कार्य- कारी वोल्टता के लिये पीबीसी रोधित केबल	आईएस 00694 : 90
100.	5050444	95/08	एलाइड क्रोम्स एण्ड केमिकल्स प्रा. लि., बीरेन राय रोड (पू.) पी ओ जोत्शीब्रामपुर, 24 परगना (द.) 743352	फिनोलिक टाइप रोगाणु- नाशी प्रवाह	आईएस 01061 : 82

(1)	(2)	(3)	(4)	(5)	(6)
101.	5048255	95/08	हिन्दुस्तान कास्टिंग एण्ड इंजीं कम्पनी 3/1 रतन हलधर लेन, पोदुपाडा, लिलुहा, हावड़ा	अपशिष्ट और संवातन के लिये रेत के मांछों में ढले लोहे के सिपगट और साकेट पाइप-फिटिंग और सहायकांग	आईएस 01729 : 79
102.	5049459	95/08	इंडो-अमेरिकन इलेक्ट्रिकल्स लिमिटेड जी टी रोड, दुर्गापुर, जिला बर्दवान, पश्चिम बंगाल 713 212	इनेमल किये गोल वाइडिंग तारें	आईएस 04840 : 68 भाग 05
103.	5048962	95/08	वि इंडस्ट्रियल इलेक्ट्रोड्स (हावड़ा) प्रा. लि., 146 अन्दुल रोड, पी. ओ.—बी गार्डन, हावड़ा 711 103	हृत्त्य धातु आर्क बलिडिंग के लिए आवृत्त कार्बन और कार्बन मैग्नीज इस्पात इलेक्ट्रोड	आईएस 00814 : 91
104.	5049762	95/08	कोयलाई इंडस्ट्रीज (लैम्प्स) प्रा., लि० 58, सुरेन सरकार रोड, कलकत्ता 700 010	टंगस्टन तंतु के सामान्य सेवा बिजली के लैम्प	आईएस 00418 : 78
105.	5050343	95/08	पारामाउन्ट सीमेंट कं. प्रा. लिमिटेड 65/1 जी. टी. रोड, लिलुहा, हावड़ा 711 204	पोर्टलैंड स्लेग सीमेंट	आईएस 00455 : 89
106.	5050141	95/08	पी. एच. इंडस्ट्रीज, 4/एच/7 रानी बांच रोड, कलकत्ता 700 002	फिनोलिक टाइप रोगाणु नाशी प्रवाह	आईएस 01061 : 82
107.	5049863	95/08	स्टार इंजीनियर्स इचापुर केनल साइड, (समीप इकापुर वाटर टैंक) पोस्ट : सन्नागाची, हावड़ा 711 104	बिजली के आवरणों के लिये ज्वाला सह सावरण	आईएस 02148 : 81
108.	5049156	95/08	केवकॉन इंडिया प्रा. लिमिटेड 93, दक्षिणदारी रोड, कलकत्ता 700 048	शिरोपरि प्रेषण कार्यों के लिये एल्युमीनियम के चालक	आईएस 00398 : 76 भाग 2
109.	5049358	95/08	दुर्गा इंजीं. कं. 22/2 देशप्राण साग्रमल रोड, हावड़ा 711 101	जलकल कार्यों के लिये स्लूस वाल्वों की विशिष्ट	आईएस 02906 : 84
110.	5048760	95/08	के. आर. स्टील यूनिथन लि., 16—डी इंडस्ट्रियल एरिया, कल्याणी, जिला नाडिया	कंक्रीट प्रबलन के लिये उच्च सामर्थ्य विन्धपित इस्पात के सरिये और तार	आईएस 01786 : 85
111.	5068861	95/08	के. आर. स्टील यूनिथन लि., 16—डी इंडस्ट्रियल एरिया, कल्याणी, जिला नाडिया	सामान्य संरचना इस्पात	आईएस 02062 : 92
112.	5048659	95/08	मेघना जूट मिल्स (यूनिट : गजानन्द जगतवल पी. ओ. 24 परगना (पं. बं.))	खाद्यान्न पैक करने के लिये पटसन के बोरे—50 किलोग्राम	आईएस 12650 : 89

(1)	(2)	(3)	(4)	(5)	(6)
113.	5049964	95/08	श्री भगवती इंडस्ट्रीज, 4, भुजंगधर रोड, लिलुहा	एस्बेस्टास सीमेंट दाब पाइपों के साथ प्रयुक्त भलम हो सकने वाले ढलवा लोहे के जोड़	आईएस 08794 : 88
114.	50450040	95/08	शिव शक्ति ट्यूब्स एण्ड इंडस्ट्रीज लि., सम्मुख लुधु गांव, लोखरा, पी. ओ. बेतकुची, गुवाहीटी 18	पट्टा कनबेयरी के लिये आइडलरी हेतु इस्पात के पाइप	आईएस 09295 : 83
115.	5049055	95/08	उपाध्या बाल्वस मैनु. प्रा. लि., पी 280, बनारस रोड, हावड़ा 711 105	बटरफ्लाई बाल्व, सामान्य कार्यों के लिये	आईएस 13095 : 91
116.	6058721	95/08	मांता सीमेंट्स प्रा. लि., नरपाका, अचतापुर मंडल, येलमनाधली तालुक, बिसाखमपटनम जिला (आ. प्र.)	पोर्टलैंड स्लेग सीमेंट	आईएस 00455 : 89
117.	6085468	95/08	सूधाकर प्लास्टिक प्रा. लि. बालाराम थांडा, नियर इंडस्ट्रियल एस्टेट, सुयपेट 503 214	सिचाई उपस्कर—सिचाई लीटरलस	आईएस 12786 : 89
118.	7083873	95/08	क्रॉम्टन ग्रिप्स लि., (लाइट स्त्रीत डिवाजन) गांव कुरल, तालुक पदरा, पदरा जाम्बुसर रोड, जिला बड़ोदा	सामान्य प्रकाश सेवा के लिये नलिका कार फुलोरो सेट लैम्प भाग 1 अपेक्षाएं एवं परीक्षण)	आईएस 02418 : 77 भाग 01
119.	7084572	95/08	एचएम पी सीमेंट्स लि., एरोड्रॉम रोड, पुराना मिलिग्री ग्राउंड, पोरबन्दर, गुजरात 360 575	53 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 12269 : 87
120.	8110350	95/08	हर नारयण ट्यूब्स, डब्ल्यू जेड 754 ए, सुदर्शन पार्क, नई दिल्ली 110 015	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त गैस चूल्हे	आईएस 04246 : 92
121.	8109113	95/08	पीको केबल्स एंड कंडक्टर्स प्रा लि., प्लॉट नं. 160, सेक्टर एच, इंडस्ट्रियल एरिया, गोविन्दपुरा, भोपाल	पीवीसी रोधित (भारी कार्य) बिजली की केबल	आईएस 01554 : 88 भाग 01
122.	8107058	95/08	रेवती मिनरल्स एण्ड केमिकल्स प्रा. लि., गांव हीरापुर, तहसील बन्दा, सागर, हीरापुर।	ब्लीचिंग पाउडर, स्टेबल	आईएस 01065 : 89
123.	8109466	95/08	शारदा एल्युमीनियम कंडक्टर्स प्रा. लि., 114—इंडस्ट्रियल एरिया, फेस 3, भिड़, मालनपुर	1100 बोल्ट तक की कार्य- कारी बोल्टता के लिये पीवीसी रोधित केबल	आईएस 00694 : 90

1	2	3	4	5	6
124.	8110855	95/08	सेफ हैड इंडस्ट्रीज, 123/ई लाइट इंडस्ट्रियल एरिया, दुर्ग, भिलाई	औद्योगिक सुरक्षा हेतु हेलमेट	आईएस 02925 : 84
125.	8107159	95/08	मेहर सीमेंट वर्क्स, पी ओ सरला नगर, मेहर जिला, सतना 485 772	43 ग्रेड साधारण पोर्टलैंड, सीमेंट	आईएस 08112 : 89
126.	9092783	95/08	डाल्मिया सीमेंट कं., दिल्ली रोड भिवानी, चरखी दादरी	43 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 08112 : 89
127.	9092985	95/08	मै. राम प्रकाश एण्ड संस. 329, आलमगिरी गंज, बरेली	चौकोर कनस्टर 15 किग्रा. घी बनस्पति, खाद्य तेलों और बेकरी मोयन के लिये	आईएस 10325 : 89
128.	9091781	95/08	मै. उषा उद्योग लिमिटेड प्लॉट नं. 763, 764 और 765 मगरवाडा, उन्नाव	कंक्रीट प्रबलन के लिये उच्च सामर्थ्य विन्यपति सर्परे और तार	आईएस 01786 : 85
129.	6023749	95/08	निर्मला केमिकल्स, 1/72-ए, अयडपलायम गांव, अथनूर पी. ओ., रामीपुर तालुक, सेलेम 636 001	जिक मल्फेट, कृषि ग्रेड	आईएस 08249 : 76
130.	6023951	95/08	आल्विन इंटरप्राइजिज एस एफ नं. 63/2, इंदिरा नगर, संगम बाई-पास रोड, कोयम्बरूर, 641 045	जेट अपकेन्द्रीय पेय सम्मिश्रित	आईएस 12225 : 87
131.	1306130	95/08	एस के एन गेम एण्ड लायसेंस 12/3 मधुरा रोड, फरीदाबाद	द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त धरेलू गैस चूल्हे	आईएस 04246 : 92

[सं. के. प्र. वि. / 13 : 11]

बी. मुखर्जी, अपर महानिदेशक

MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS & PUBLIC DISTRIBUTION

BUREAU OF INDIAN STANDARDS

New Delhi, the 15th December, 1997

S.O. 21 :--In pursuance of Sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulation, 1988, of Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given, in the following schedule.

SCHEDULE

Sl. No.	Licence No.	Operative Date	Name & address (factory) of the Party	Title of the standard	IS : NO/Part/Sec & Year
1.	5050242	95/08	Agarpara Jute Mills Ltd. B.T. Road, Kamarhaty, Calcutta-700 058.	Textiles—B-twill jute bags for packing foodgrains (third revision)	IS 02566 : 93

(1)	(2)	(3)	(4)	(5)	(6)
2. 5049257	95/08	Ujjal Enterprises 135 G.T. Road (West) Konnagar Hoogly.	Fire hose delivery couplings, branch pipe, nozzles and nozzle spanner (Fourth revision).	IS 00903 : 93	
3. 7083570	95/08	Avcon Controls Pvt. Ltd. Plot No. 65, Road No. 15, MIDC Arca Andheri (E) Bombay-400 093.	Flame proof enclosures for electrical appartus (second revision) (Amendment Nos. 2).	IS 02148 : 81	
4. 7082770	95/08	Acharya Industries 110 Ashirwad Indl. Estate No. 4, I Floor Rammandir Road, Goregaon (W) Bombay-400 104.	Switches for domestic and similar purpose (first revision) (Amendment 3).	IS 03854 : 88	
5. 7083772	95/08	Bharat Industries Plot No. 110, Section 4A Near State Bank of India, Ulhasnagar-421 003.	Burner for oil pressure stove and oil pressure heaters (first re- vision) (Amendment 1).	IS 08808 : 86	
6. 7083368	95/08	Evita Appliances 110 Niggo's Building Cama Estate Goregaon (E) Bombay-400 063.	Domestic gas stoves for use with liquefied petroleum gases (fourth revision)	IS 04246 : 92	
7. 7082568	95/08	Eagle Cement Pipe & Concrete Works 604, Industrial Estate Sangli-416 416.	Precast concrete pipes with and without reinforcement) (third revision) (Amendment 2)	IS 00458 : 88	
8. 7084774	95/08	Emkay Enterprises T-26, MIDC Hingna Road, Nagpur	Ballast for fluorescent lamps Part 1 for switch start circuits (second revision) (Amendment 3).	IS 01534 : 77 PART 01	
9. 7089370	95/08	Helios food Additives Pvt. Ltd. W-11F, Ganc Khadpoli Indl. Are Chiplun Ratnagiri Dist.-415 605.	Calcium propionate, food grade (Amendment 1)	IS 06031 : 71	
10. 7082063	95/08	Hindustan Transmission Product Limited H-15 MIDC Area, Waluj, Aurangabad.	Enamelled round winding wires	IS 04800 : 68	
11. 7084168	95/08	National Industries F/17, Thakkar Indl. Estate, Navghar Road, Bhayander (E) Thane-401 105.	Switches for domestic and similar purposes (first revision) (Amendments 3).	IS 03854 : 88	
12. 7084976	95/08	Telex Industries D-115, Bonaza Indl. Estate. Ashok Chakkravarti Road, Kandivli (E) Bombay-400 101.	Switchehes for domestic and similar purposes (first revision) (Amendment 3).	IS 03854 : 88	

1	2	3	4	5	6
13. 7083166	95/08	Kooverji Devshi & Co. Pvt. Ltd. Bhaktakavi Shivjibhai Pevshi Marg, Govandi Works NR. Govandi Rly. Stn. Bombay-400 088.	Speci fication for portable fire extinguisher water type (soda acid) (third revision)	IS 00934 : 89	
14. 7083267	95/08	Kooverji Devshi & Co. Pvt. Ltd. Bhaktakavi Shivjibhai, Pevshi Marg, Govandi Works NR. Govandi Rly, Stn. Bombay-400088.	Portable fire extinguishers, dry powder (cartridge type) (Third revision) (Amendment No. 1).	IS 02171 : 85	
15. 7082669	95/08	Lloyds Metals & Engineers Ltd. M-1 Addl. M.I.D.C Kudavale Village, Murbad Thane District.	Steel tubes for structural purposes (third revision) (Amendments 2).	IS 01161 : 79	
16. 7082164	95/08	National Industries 24 Nutan Chemical Compound 2nd Floor Valbhat Lane, Goregoan(E) Bombay-400063.	Ceiling roses (second revision) (Amendments 4).	IS 00371 : 79	
17. 7082972	95/08	Oswal Stone Products Unit No. 211-212 Navyug Indl. Estate Jivraj Road, Sewri Bombay-400 015.	Oil pressure stoves (fifth revision) (Amendment 1).	IS 01342 : 88	
18. 7082265	95/08	Sol-Ray Appliances Pvt. Ltd. 29/2, Kharadi Village Distt. Pune Pune-411014.	Mineral filled sheathed heating elements (second revision) (Amendments 6).	IS 04159 : 83	
19. 7082366	95/08	Sol-Ray Appliances Pvt. Ltd. 29/2, Kharadi Village Distt. Pune Pune-411 014.	Stationary Storage type electric water heaters (third revision) (Amendment 1)	S 02082 : 93	
20. 7083469	95/08	Silvassa Polytex Industries (INDIA) Pvt. Ltd. Plot No. 18, Survey No. 101, Rakholi Industrial Estate Rakholi Union Territory Of Dadra & Nagar Haveli-396230.	Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1).	IS 04985 : 88	
21. 7083974	95/08	Uttam Industries 5302 GIDC Industrial Estate Phase 4, Vatva Ahmedabad-382445.	Submersible pumsets (first revision) (Amendments 3).	IS 08034 : 76	
22. 8108060	95/08	Vikas Industries 714/20, Chet Ram Market Gopal Nagar, Ashok Magar New Delhi-110 018.	Decorative lighting outfits	IS 05077 : 69	

1	2	3	4	5	6
23.	8107967	95/08	Metro Appliances Pvt. Ltd. B 12 & 13 Sector IV NOIDA Distt. Ghaziabad (U.P.)	Electric table type fans and regulators (third revision) (Amendment 1)	IS 00555 : 79
24.	8108363	95/08	Vijay Cables Inds. B-8, B-9, Sector I Noida, Ghaziabad	Crosslinked polyethylene insulated PVC sheated cables : Part 1 For Working voltage upto and including 1 100 V (first revision) (Amendment 1).	IS 07098 : 77 PART 01
25.	9091882	95/08	Jai Shree Rasayan Udyog Ltd. G.T. Road, Vill. & P.O. Nathupur Sonepa	Zinc sulphate, Agriculture grade (Amendments 2)	sS 08249 : 76
26.	9083984	95/08	M/s Century Pulp & Paper P.O. Lal Kua Nainital.	Paper for magnetic ink character recognition cheques printing (first revision) (Amendment 1).	IS 11087 : 86
27.	9088489	95/08	M/s EMC Steel Ltd. P.O. TSL, Mirzapur Road, Naini, Allahabad,	Aluminium conductors for over- head transmission purposes : Part 2 Aluminium conductors, galvanized steel reinforced (second revision) (Amendments 3).	IS 00398 : 76 PART 02
28.	9076886	95/08	M/s J K Dairy & Foods Ltd. 3 Km Stone, Hasanpur Gajraula, Moradabad, -244235.	Skim milk powder : Part 1 Standard grade (Amendment 1)	IS 13334 : 91 PART 01
29.	9087891	95/08	M/s K. Sarbhai & Co. 29, Itki Mohalla, Madan Mahan Road, Lucknow-226004.	Foor sprayer (third revision) (Amendment 1)	IS 03652 : 82
30.	9077181	95/08	M/s Lucknow Producers Co- operative Milk Union Ltd. 22, Jopling Road, Lucknow.	Skim milk powder : Part 1 Standard grade (Amendment 1)	IS 13334 : 91 PART 01
31.	9079084	95/98	M/s M.B. Plywood Industries Pvt. Ltd. P.O. Danpur Rudrapur, Nainital,	Wooden flush door shutters (solid core type) : Part 1 Plywood face panels (Fifth revision) (Amendment Nos. 2)	IS 02202 : 91 PART 01
32.	9088590	95/08	M/s Recan Industries Plot No. B-4, Site 1, Industrial Area, Unnao.	Unplasticised PVC pipes for potable water supplies second revision) (Amendment 1).	IS 04985 : 88

1	2	3	4	5	6
33.	9081980	95/08	M/s R.K. Presast concrete Manufacturer & Supplier R-20,D-58 Khalilabad Indl. Area, Basti.	Precast Concrete pipes (with and without reinforcement) (third revision) (Amendment 2).	IS 00458 : 88
34.	9083580	95/08	M/s Ratan Vanaspati Ltd. A-8, UPSIDC Industrial Area, Gajraula, Moradabad. Moradabad,	Vanaspati (first revision) (Amendment 1).	IS 10633 : 83
35.	9079185	95/8	M/s Sah Wire Industries Keshripur P.O. Bhiullanpur Pac Varanasi.	Enamelled round winding wires: Part 1 Conductors data (Amendment 2).	IS 04800.68 PART 01
36.	9088388	95/98	M/S J.K. Dairy & Food Ltd. 3 Km. Stone, Hasanpur Gajraula Moradabad-244235.	Milk Powder (Fourth revision) (Amendment 1)	IS 01165 : 92
37.	9088691	95/08	Swarup Chemicals Water Works Road, Aishbagh, Lucknow-226 004.	2, 4-D Sodium, salt technical (third revision) (Amendment No. 1)	IS 01488 : 89
38.	7085877	95/08	JKBM Ltd. 133-134, GIDC Industrial Estate Ankleshwar, Distt. Bhruch-393002.	Thiram seed dressing formulations (first revision)	IS 04783 : 82
39.	7085574	95/08	Kashi Vishwanath Cement (P) Ltd. 43 grade ordinary Portland Village Timba Taluka Khcralu Mehsana Dist, North Gujrat.	Cement (first revision) (Amendment 2)	IS 08112 : 78
40.	8110148	95/08	Airex Electric Industries 138-B, Old Gupta Colony, Near Rana Partap Bagh Delhi-110 009.	Mineral filled sheathed heating elements (second revision) (Amendment 6)	IS 04159 : 83
41.	8110552	95/08	Esson Electro Appliances C-35, Rajdhani Market Tagore Garden Extn., New Delhi-110 027.	Stationary storage type electric water heaters (third revision) (Amendment 1).	IS 02082 : 93
42.	8108868	95/08	Laxmi Lamp Industries 872, Gautam Gali No. 3, Jwala Nagar Shahdara Delhi-110 032.	Tungsten filament general service electric lamps (third revision) (Amendments 7).	IS 00418 : 78
43.	8110653	95/08	R.K. Lamps WZ-1 Opposite 24 Block Moti Nagar New Delhi-110015	Tungsten filament general service electric lamps (third revision) (Amendments 7).	IS 00418 : 78

1	2	3	4	5	6
44. 8110451	95/08	Airex Electric Industries 138-B, Old Gupta Colony Near Rana Partap Bagh Delhi-110009	Safety of household similar electrical appliances : Part 2 particular re- quirements. Sec. 201 Electric immersion water heater	IS 00302:92 Part 02 Sec 201	
45. 8109769	95/08	Sainico Industries Khasara No. 106/1, Vill. Pooth Kalan Delhi-110041	Plugs and socket outlets voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3)	IS 01293 : 88	
46. 8109062	95/08	Thermoking A-24, Naraina Indl. Area Phase I New Delhi -110028.	Electric instantaneous water heaters (second revision) (Amendment 1)	IS 08978 : 85	
47. 8109567	95/08	Thermokin A-24, Naraina Indl. Area Phase I New Delhi-110028.	Stationary storage type electric water heaters (third revision) (Amendment 1)	IS 02082 : 93	
48. 8109668	95/08	Thermoking A-24, Naraina Indl. Area Phase I New Delhi-110028.	Hot air fan (first revision (Amendment 1)	IS 04283 : 81	
49. 9092076	95/08	Balaji Cement Udyog Hisar Road, Teh Fatcha- bad Distt. Hisar Bhattu-125053	43 grade ordinary Portland cement (first revision) (Amendment 1)	IS 08112 : 78	
50. 9092581	95/08	Diamond Agro Inds. Ltd. Vill: Nalunga, NH-1A, PO. Mirthal Teh. Pathankot, Distt. Gurdaspur, Nalunga-145101.	Vanaspati (first revision) (Amendment 1)	IS 10633 : 83	
51. 9092884	95/08	Him Udyog Vill : Kotai, PO. Ghatti Distt. Solan Saproon-173211.	Precast concrete pipes with and without reinforcement) (third revision) (Amendments 2)	IS 00458 : 88	
52. 9093178	95/08	Shiv Shakti Minerals Vill: & PO Balachour Chhachhrauli-Dadupur Road, Chhachhrauli-135103.	43 grade ordinary Portland cement (first revision) (Amendments 3)	IS 08112: 78	
53. 9093078	95/08	Suraj Solvent & Vanaspati Inds. Ltd. Village : Khippanwali, Teh. Fazilka, Distt. Firozpur, Khippanwali.	Vanaspati (first revision) (Amendment 1)	IS 10633 : 83	
54. 9092682	95/08	Vikrant Cements Vill : Aurangabad, Radaur Road, Distt. Yamunanagar Aurangabad-135001.	43 grade ordinary Portland cement (first revision) (Amendments 3)	IS 08112 : 78	

1	2	3	4	5	
55.	9092177	95/08	A.C.C. Ltd. (Gagal Cement Works) P.O. Barmana Distt. Bilaspur-174013	53 grade ordinary Portland cement IS 12269:87 (Amendments 3)	
56.	9092278	95/08	Dhauladhar Cements (P) Ltd. Patti Natha Singh Sirmour Paonta Sahib	43 grade ordinary Portland cement IS 08112:78 (first revision) (Amendments 3)	
57.	9092480	95/08	Rishi Electricals Pvt. Ltd. Chhanni, P.O. Khandrori Distt. Kangra-176 402	Aluminium conductors for overhead transmission purposes: Part 1 Aluminium stranded conductors (second revision) (Amendment No. 1)	IS 00398:76 Part 01
58.	6087068	95/08	Akash Enterprises 641/1, MTH Road, Avadi Madras-600 054	Rubber gaskets for pressure cookers (Amendments 3)	IS 07466:74
59.	6087977	95/08	Tropical Agrosystem Pvt. Ltd. 530/2-B, Vanagaram Road, Ambattur, Madras-600 058	Phorate granules, encapsulated (Amendments 2)	IS 09359:80
60.	6086167	95/08	SPC Super Meters Pvt. Ltd. 9/9, H. Siddiah Road, Bangalore-560 002	ac watthour meter, class 0.5, 1 and 2 (Amendment 1)	IS 13010:80
61.	6087472	95/08	Southern Pesticides Corpn. Ltd. Arikirevala, Near Kovvur Distt. West Godawari	Chlorpyrifos emulsifiable concentrates (Amendment 1)	IS 08944:78
62.	6090057	95/08	Hindustan Latex Limited P.B. No. 2, Peroorkada, Thiruvananthapuram-695 005	Disposable surgical rubber gloves	IS 13422:92
63.	6087371	95/08	Prima Agro Products Ltd. IV/108-E, Feed Division, Industrial Development Area Muppathadam, Edayar, Cochin Ernakulam-683 102	Compounded feeds for cattle (third revision) (Amendment Nos. 3)	IS 02052:79
64.	6090158	95/08	Associated Trade Links Mini Industrial Estate Keezhmad, Alwaye-683 005	Magnesium sulphate (epsom salt) (first revision)	IS 02730:77
65.	6085973	95/08	Cauvery Conductors P. Ltd. NP VII/957, Indl. Estate, Pappanamcode Tiruvananthapuram-695 019	Aluminium conductors for overhead transmission purposes: Part 2 Aluminium conductors, galvanized steel reinforced (second revision) (Amendments 3)	IS 00398:76 Part 02
66.	6086066	95/08	K.S.B. Pumps Ltd. 151 Muttupalayam Road, N.S.N. Palayam Post Coimbatore-641 031.	Motors for submersible pump sets (Amendment 1)	IS 09283 : 79
67.	6087169	95/08	Shine Flo 1454 Thadagam Road, GCT Post Coimbatore-641 013.	Single phase small ac and universal electric motors (second revision) (Amendments 2).	IS 00996 : 79

1	2	3	4	5	6
68. 7084875	95/08	Elcon Electric Industries Shukla Estate Singh Compound Opp : Ajit Class S.V. Road, Jogeshwari (W) Bombay-400 102.	Switches for domestic and similar purposes (first revision) (Amendments 3).	IS 03854 : 88	
69. 7085271	95/08	Imperial Irrigation & Biotech Private Limited K-39, MIDC Ambad, Nashil-422 010.	Irrigation equipment — polyethylene pipes for irrigation lateral (Amendment 1).	IS 12786 : 89	
70. 7084673	95/08	International Industrial Products Unit No. 6, 7, 8 & 9 Station Road Street No. 31, Section 25 NR MSEB Office Ulhasnagar-421 004.	PVC insulated (havy duty) electric cables : Part 1 For working voltages upto and including 1 to 100 V (third revision).	IS 01554 : 88 PART 01	
71. 7083671	95/08	Jai Industrial Corporation No. 39, Kamptee Road Near Pili Nadi Nagpur-440 026.	Asbestos cement building pipes and pipe fittings, gutters and gutter fittings and roofing fittings : Part I Pipe and pipe fittings (first revision).	IS 01626 : 91 PART 01	
72. 7085170	95/08	Plastro Irrigation Systems (I)Ltd. Block D-1, Plot No. 10, MIDC Chinchwad Pune-411 019.	Irrigation equipment—polyethylene pipes for irrigation laterals (Amendment 1).	IS 12786 : 89	
73. 7084067	95/08	Balmer Lawrie & Co. Ltd. D-195/2, TTC Indl. Estate Turbhe, PO Box No. 43 New Bombay-400 705.	Drums, large, fixed ends, Part 1 Grade A drums (third revision).	IS 01783 : 93 PART 01	
74. 7084269	95/08	Harjett Steel Industries 7374 Wanjara Layout Pilinadi Kamptee Road, Nagpur- 440 026.	High strength deformed steel bars and wires for concrete reinforcement (Third revision) (superseding IS : 1139-1966) (Amendment No. 1).	IS 01786 : 85	
75. 7084471	95/08	Konkan Pesticides A-4, MIDC Mahad, Distt. Raigadh.	Atrazine, WP	IS 12931 : 90	
76. 7085069	95/08	Telex Industries D-115, Bonaza Indl. Estate Ashok Chakkravarti Road, Kandivli (E) Bombay-400 101.	Plugs and socket outlets of rated voltage upto and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3).	IS 01293 : 88 IS 09359 : 80	
77. 7087578	95/08	Agronule Industries Port Road Ghoga, Bhavnagar-364005.	Phorate granules, encapsulated (Amendments 2).		

1	2	3	4	5	6
78.	7086374	95/08	Asmi Pumps Industries A-2/3911, GIDC Phase IV Behind New Nirma, Vavta, Ahemdabad.	Submersible pumpsets (first revision) (Amendments 3).	IS 08034 : 76
79.	7086071	95/08	Shalimar Electronic Industries Pardi Sandhpur Kailash Road, Valsad (Gujarat).	Switches for domestic and simi- lar purposes (first revision) (Amendments 3).	IS 03854 : 88
80.	8107563	95/08	Baweja Appliances 6604/2, Neemwala Chowr Nabi Karim New Delhi-110055.	Domestic gas stoves for use with liquefied petroleum gases (fourth revision).	IS 04246 : 92
81.	8107664	95/08	Digiflex (I) Ltd. 55 & 58 D, Noida Export Processing Zone (NEPL). Noida (U.P.).	Disposale surgical rubber gloves	IS 13422 : 92
82.	8108262	95/08	Harson Enterprises 8/109, Nehru Gali Vishwas Nagar, Shahdara Delhi-110 032.	Plugs and socket outlets of rated voltage up to and inclu- ding 250 volts and rated current up to and including 16 am- peres (second revision) (Amendments 3).	IS 01293 : 88
83.	8108464	95/08	Rachna Electricals Pvt. Ltd. B-10/10, Group Indl. Area Wazirpur Delhi-110 052.	Safety of household and simi- lar electrical appliances : Part 2 Particular requirements Sec. 201 Electric immersion water heater.	IS 00302 : 92 PART 02 Sec. 201
84.	8107462	95/08	Shri Durga Industries 37, Ram Nagar Street No. 1 Pahar Ganj, New Delhi-110 055.	Safety of household and similar electrical appliances : Part 2 Particular requirements Sec. 3, Electric Iron.	IS 000302 : 92 PART 02 Sec. 03
85.	8108161	95/08	Gemco Electrical Industries H. No. 383, Gali No. 5. Bagh Kare Khan Kishan Ganj Delhi-110 007.	Plugs and socket outlets of rated voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3).	IS 01293 : 88
86.	8107361	95/08	Rayat Electricals J,99-98, Vishnu Garden New Delhi-110018.	Safety of household and similar electrical appliances : Part 2 Particulars requirements, Sec. 201 Electric immersion water heater.	IS 00302 : 92 PART 02 Sec. 201
87.	8107866	95/08	Sewtec Engineers Pvt. Ltd. C-120 Sector II Noida, Noida-201301.	Safety of household and similar electrical appliances : Part 2 Particulars requirements Sec. 3, Electric Iron.	IS 00302 : 92 PART 02 Sec. 03
88.	8108565	95/08	Toshiba Appliances Co. A-24/A Gai No. 4 Anand Parbat, New Delhi-110005.	Safety of household and similar electrical appliances : Part 2 Particular requirements, Sec. 3 Electric Iron.	IS 00302 : 92 PART 02 Sec. 03

1	2	3	4	5	6
89.	9092379	95/08	Bharat Engineers Teh. Nurpur Dist. Kangra, Channi.	Aluminium conductors for over- head transmission purposes : Part 4 Aluminium alloy stanraaed conductors (aluminium mag- nesium silicon type) (third revision).	IS 09398 : 76 PART 04
90.	9091680	95/08	Dara Chemical Inds. Pvt. Ltd. 625, Modern Industrial, Estate Distt. Rohtak, Bhadurgarh.	Butachlor emulsifiable concentrates (Amendments 2).	IS 09356 : 80
91.	8107765	95/08	Aggarwal Electricals Pvt. Ltd. F-669, Sitapura Indl. AREA Tonk Road (Via Vatika) Jaipur - 303905.	Tungsten filament general service electric lamps (third revision) (Amendments 7).	IS 00418 : 78
92.	8109264	95/08	Chirawa Cements Limited F-9 To F-17, Riico Indl. Area, Chirawa, Jhunjhunu.	43 grade ordinary Portland cement (first revision) (Amendments 3).	IS 08112 : 89
93.	8107260	95/08	Mihaveer Industries SP-1, 1st Phase Industrial Area, Barmer-344001.	High density polyethylene pipes for potable water appllies; sewage and industrial effluents (third revision)	IS 04984 : 87
94.	8110047	95/08	Maxwell India H-110, Riico Indl. Area, Jaitpura, Jaipur	Ac watthour meter, class 0.51 and 2 (Amendment 1).	IS 13010:90
95.	8110754	95/08	Rajasthan Engineering & Contractors Enterprises A-45, Industrial Area, Sikar-332001.	High density polyethylene pipes for potable water supplies, sewage and industrial effluents (third revision).	IS 04984 : 87
96.	8108666	95/08	Jodhpur Cement Industries Pvt. Ltd. E/637, Marudhar Industrial Area Basni, Phase II Jodhpur	43 grade ordinary Portland cement (first revision) (Amendments 3).	IS 08112:89
97.	8109365	95/08	Kaprons Cement Pvt. Ltd. Bi67 Matsya Indl. Atea Alwar	43 grade ordinary Portland cement (first revision) (Amendments 3).	IS 08112:89
98.	8108767	95/08	Mores Cenents Industries Pvt. Ltd. F-71, 72/G-83, 84, 85 RIICO Indl. Area, Behror	33 Grade ordinary portland cement (forth revision) (Amendments 3).	IS 00269:89
99.	8108969	95/08	United Cable Industries A-14, Sector IV Noida 201301	PVC Insulated cables for working voltages upto and including 1100 V (third revision) (Amendments No. 1 to 4).	IS 00694:90

1	2	3	4	5	6
100.	5050444	95/08	Allied Chromes & Chemicals (P) Ltd., Biren Roy Road (West), P.O. Jotshibrampur, 24-Parganas (South) 743 352.	Disinfectant fluids, black and white (Third revision).	IS 01061 : 82
101.	5048255	95/08	Hindustan Casting and Engg. Company, 3/1, Ratan Halder Lane, Potuapara, Liluah, Howrah.	Sand cast iron spigot and socket soil waste and ventilating pipes, fitting and accessories (First revision) (Amendments 3).	IS 01729 : 79
102.	5049459	95/08	Indo-American Electricals Limited, G.T. Road, Durgapur, Distt : Burdwan, West Bengal—713 212.	Enamelled round winding wires : Part 5 Wires for elevated temperatures (Amendments 7).	IS 04800 : 68 PART 05
103.	5048962	95/08	The Industrial Electrodes (Howrah) Pvt. Ltd., 146, Andul Road, P.O. B. Garden, Howrah—711 103	Covered electrodes for manual metal arc welding of carbon and carbon manganese steel (Fifth revision).	IS 00814 : 91
104.	5049762	95/08	Koilite Industries (Lamps) P. Ltd., 58, Suren Sarkar Road, Calcutta—700 010.	Tungsten filament general service electric lamps (Third revision) (Amendments 7).	IS 00418 : 78
105.	5050343	95/08	Paramount Cement Co. P. Limited, 65/1, G.T. Road, Liluah, Howrah—711 204.	Portland slag cement (Fourth revision) (Amendments 3).	IS 00455 : 89
106.	5050141	95/08	P.H. Industries, 4/H/7, Rani Branch Road, Calcutta—700 002.	Disinfectant fluids, black and white (Third revision).	IS 01061 : 82
107.	5049863	95/08	Star Engineers, Ichapur Canal Side, (Near Ichapur Water Tank), Post : Santragachi, Howrah—711 104.	Flameproof enclosures for electrical electrical apparatus (Second revision) (Amendment Nos. 2).	IS 02148 : 81
108.	5049156	95/08	Cabcon India Pvt. Limited, 93, Dakshindari Road, Calcutta, Calcutta—700 048.	Aluminium conductors for over-head transmission purposes : Part 2 Aluminium conductors, galvanized steel reinforced (Second revision) (Amendments 3).	IS 00398 : 76 PART 02
109.	5049358	95/08	Durga Engg. Co., 22/2, Deshpran Sashmal Road, Howrah—711 101.	Sluice valves for water works purposes (350 to 1200 mm size) (Third revision) (Amendments 3).	IS 02906 : 84

1	2	3	4	5	6
110.	5048760	95/08	K. R. Steel Union Ltd., 16-D, Industrial Area, Kalyani, Distt. Nadia.	High strength deformed steel bars and wires for concrete reinforcement (Third revision) (Superseding IS : 1139-1966) (Amendment No. 1).	IS 01786 : 85
111.	5048861	95/08	K. R. Steel Union Ltd., 16-D, Industrial Area, Kalyani, Distt. Nadia.	Steel for general structural purposes (Fourth revision) (Supersedes IS 225 : 1975) (Amendment No. 1).	IS 02062 : 92
112.	5048659	95/08	Meghna Jute Mills Unit of Gajanand Comm. Pvt. Ltd., Jagatdal P.O., 24-Parganas (WB).	Jute bags for packing foodgrains 50 kg.	IS 12650 : 89
113.	5049964	95/08	Shree Bhagwati Industries, 4, Bhujangadhar Road, Liluah.	Cast iron detachable joints for use with asbestos cement pressure pipes (First revision) (Amendment 1).	IS 08794 : 88
114.	5050040	95/08	Shiv Shakti Tubes & Industries Limited, Opposite Lulungaon, Lokhra, P.O. Betkuchi, Guwahati—18.	Steel tubes for idlers for belt conveyors (First revision).	IS 09295 : 83
115.	5049055	95/08	Upadhaya Valves Mfrs. Pvt. Ltd., P280, Benaras Road, Howrah—711 105.	Butterfly valves for general purposes.	IS 13095 : 91
116.	6085771	95/08	Maata Cements Pvt. Ltd., Narapaka, Achutapuram Mandal, Yelamanchili Taluk, Visakhapatnam Distt. (AP).	Portland slag cement (Fourth revision) (Amendments 3).	IS 00455 : 89
117.	6085468	95/08	Sudhakar Plastic Pvt. Limited, Balaram Thanda, Near Industrial Estate, Suryapet—508 214.	Irrigation equipment—polyethylene pipes for irrigation laterals (Amendment 1).	IS 12786 : 89
118.	7083873	95/08	Crompton Greaves Ltd., (Light Sources Division) Village Kural, Taluka Padra, Padra Jambusar Road, District Baroda.	Tubular fluorescent lamps for general lighting service : Part 1 Requirements and tests (First revision) (Amendments 2).	IS 02418 : 77 Part : 01
119.	7084572	95/08	HMP Cements Ltd., Aerodrome Road, OLD Military Ground, Porbandar, Gujarat—360 575.	53 grade ordinary Portland cement (Amendments 3).	IS 12269 : 87
120.	8110350	95/08	Har Narain Tubes WZ-754 A, Sudershan Park, New Delhi—110 015.	Domestic gas stoves for use with liquefied petroleum gases (Fourth revision).	IS : 04246 : 92

1	2	3	4	5	6
121.	8109163	95/08	Peico Cables & Conductors Pvt. Ltd., Plot No. 160, Sector H, Industrial Area, Govindpura, Bhopal,	PVC insulated (heavy duty) electric cables : Part 1 For working voltages upto and including 1100 V (Third revision).	IS 01554 : 88 Part : 01
122.	8107058	95/08	Rewati Minerals & Chemicals Pvt. Ltd., Village Hirapur, Tehsil Banda, Sagar, Hirapur.	Bleaching powder, stable (Second revision).	IS 01065 : 89
123.	8109466	95/08	Sharda Aluminium Conductors Pvt. Ltd., 114-Industrial Area, Phase III, Bhind, Malanpur.	PVC Insulated cables for working voltages upto and including 1100 V (Third revision) (Amendment Nos. 1 to 4).	IS 00694 : 90
124.	8110855	95/08	Safe Head Industries, 123/E, Light Industrial Area, Durg, Bhilai.	Industrial safety helmets (Second revision) (Amendment 1).	IS 02925 : 84
125.	8107159	95/08	Maihar Cement Works, P.O. Sarla Nagar, Maihar Distt., Satna—485 772.	43 grade ordinary Portland cement (First revision) (Amendments 3).	IS 8112 : 89
126.	9092783	95/08	Dalmia Cement Co., Delhi Road, Bhiwani, Charki Dadri.	43 grade ordinary Portland cement (First revision) (Amendments 3).	IS 08112 : 89
127.	9092985	95/08	M/s. Ram Prakash & Sons, 329, Alamgirganj, Bareilly.	Square tins—15 kg. for ghee, VANASPATHI, edible oils and bakery shortenings (First revision) (Amendment 1).	IS 10325 : 89
128.	9091781	95/08	M/s. Usha Udyog Limited, Plot No. 763, 764 & 765, Magarwara, Unnao.	High strength deformed steel bars and wires for concrete reinforcement (Third revision) (Superseding IS : 1139-1966) (Amendment No. 1).	IS 01786 : 85
129.	6023749	95/08	Nirmala Chemicals, 1/72-A, Ayeepalayam Village, Athanur P.O., Rasipuram Taluk, Salem—636 001.	Zinc sulphate, agricultural grade (Amendments 2).	IS 08249 : 76
130.	6023951	95/08	Allwyn Enterprises, S.F. No. 63/2, Indira Nagar, Sungam By-pass Road, Coimbatore—641 045.	Jet centrifugal pump combination (Amendments 2).	IS 12225 : 87
131.	1306130	95/08	SKN Gas Appliances, 12/3, Mathura Road, Faridabad.	Domestic gas stoves for use with liquefied petroleum gases (Fourth revision).	IS 04246 : 92

नई दिल्ली, 15 दिसम्बर, 1997

का० आ० 22 :—संशोधन मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड "ख" के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे दिये गए मानक (को) में संशोधन किया गया है/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तारीख
1	2	3	4
1.	आईएस 2 : 1960	संशोधन सं० 2 अक्टूबर 1997	97-10-31
2.	आईएस 28 : 1985	संशोधन सं० 1 सितम्बर 1997	97-09-30
3.	आईएस 177 : 1989	संशोधन सं० 2 अक्टूबर 1997	97-10-31
4.	आईएस 188 : 1980	संशोधन सं० 2 अक्टूबर 1997	97-10-31
5.	आईएस 281 : 1991	संशोधन सं० 2 अक्टूबर 1997	97-10-31
6.	आईएस 306 : 1983	संशोधन सं० 1 अगस्त 1997	97-08-31
7.	आईएस 318 : 1981	संशोधन सं० 1 सितम्बर 1997	97-09-30
8.	आईएस 804 : 1967	संशोधन सं० 1 अक्टूबर 1997	97-10-31
9.	आईएस 814 : 1991	संशोधन सं० 3 अक्टूबर 1997	97-10-31
10.	आईएस 1079 : 1994	संशोधन सं० 2 अक्टूबर 1997	97-10-31
11.	आईएस 1237 : 1980	संशोधन सं० 2 सितम्बर 1997	97-09-30
12.	आईएस 1259 : 1984	संशोधन सं० 3 अक्टूबर 1997	97-10-31
13.	आईएस 1347 : 1972	संशोधन सं० 1 अक्टूबर 1997	97-10-31
14.	आईएस 1397 : 1990	संशोधन सं० 1 जुलाई 1997	97-07-31
15.	आईएस 1659 : 1990	संशोधन सं० 3 सितम्बर 1997	97-09-30
16.	आईएस 1664 : 1992	संशोधन सं० 2 अगस्त 1997	97-08-31
17.	आईएस 1825 : 1983	संशोधन सं० 1 अक्टूबर 1997	97-10-31

1	2	3	4
18. आईएस 2002 : 1992	संशोधन सं० 2 अक्टूबर 1997		97-10-31
19. आईएस 2041 : 1995	संशोधन सं० 1 अक्टूबर 1997		97-10-31
20. आईएस 2096 : 1992	संशोधन सं० 1 अगस्त 1997		97-08-31
21. आईएस 2386 (भाग 1) : 1963	संशोधन सं० 3 सितम्बर 1997		97-09-30
22. आईएस 2681 : 1993	संशोधन सं० 1 अक्टूबर 1997		97-10-31
23. आईएस 2742 (भाग 3) : 1994	संशोधन सं० 1 सितम्बर 1997		97-09-30
24. आईएस 2742 (भाग 4) : 1994	संशोधन सं० 1 सितम्बर 1997		97-09-30
25. आईएस 2801 : 1967	संशोधन सं० 1 सितम्बर 1997		97-09-30
26. आईएस 3075 (भाग 3) : 1986	संशोधन सं० 1 अक्टूबर 1997		97-10-31
27. आईएस 4248 : 1989	संशोधन सं० 2 अक्टूबर 1997		97-10-31
28. आईएस 4985 : 1988	संशोधन सं० 3 अगस्त 1997		97-08-31
29. आईएस 5986 : 1992	संशोधन सं० 3 अक्टूबर 1997		97-10-31
30. आईएस 7016 (भाग 6) : 1984	संशोधन सं० 1 अक्टूबर 1997		97-10-31
31. आईएस 8072 : 1984	संशोधन सं० 3 अगस्त 1997		97-08-31
32. आईएस 8623 (भाग 3) : 1993	संशोधन सं० 1 जून 1997		97-06-30
33. आईएस 9372 : 1980	संशोधन सं० 2 अक्टूबर 1997		97-10-31
34. आईएस 10066 : 1981	संशोधन सं० 1 अक्टूबर 1997		97-10-31
35. आईएस 11248 : 1995	संशोधन सं० 1 नवम्बर 1997		97-11-30
36. आईएस 11844 : 1987	संशोधन सं० 1 अक्टूबर 1997		97-10-31
37. आईएस 11852 (भाग 3) : 1987	संशोधन सं० 3 सितम्बर 1997		97-09-30
38. आईएस 11860 : 1986	संशोधन सं० 1 अक्टूबर 1997		97-10-31

1	2	3	4
39. आईएस 11898 : 1986	संशोधन सं० 1 अक्टूबर 1997		97-10-31
40. आईएस 11899 : 1986	संशोधन सं० 1 अक्टूबर 1997		97-10-31
41. आईएस 12212 : 1987	संशोधन सं० 1 अक्टूबर 1997		97-10-31
42. आईएस 12340 : 1988	संशोधन सं० 1 अक्टूबर 1997		97-10-31
43. आईएस 12963 : 1990	संशोधन सं० 1 अगस्त 1997		97-08-31
44. आईएस 13008 : 1990	संशोधन सं० 1 सितम्बर 1997		97-09-30
45. आईएस 13453 : 1994	संशोधन सं० 1 सितम्बर 1997		97-09-30
46. आईएस 13488 : 1992	संशोधन सं० 2 अगस्त 1997		97-08-31
47. आईएस 14121 : 1995	संशोधन सं० 1 अक्टूबर 1997		97-10-31
48. आईएस 14151 (भाग 1) : 1994	संशोधन सं० 3 सितम्बर 1997		97-09-30

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110 002 और क्षेत्रीय कार्यालयों नई दिल्ली, कलकत्ता, चण्डीगढ़, मद्रास तथा मुम्बई और शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, फरोडाबाद, गाजियाबाद, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, लखनऊ, पटना तथा धिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं० के प्रति /13 : 5]
बी० मुखर्जी, अपर महानिदेशक

New Delhi, the 15th December, 1997

S.O. 22.—In pursuance of clause (b) of Sub-rule (1) of Rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that amendment(s) to the Indian Standard(s), particulars of which is/are given in the Schedule hereto annexed, has/have been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standard(s) amended	No. and year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 2 : 1960	Amendment No. 2 October 1997	97-10-31
2.	IS 28 : 1985	Amendment No. 1 September 1997	97-09-30

(1)	(2)	(3)	(4)
3.	IS 177 : 1989	Amendment No. 2 October 1997	97-10-31
4.	IS 188 : 1980	Amendment No. 2 October 1997	97-10-31
5.	IS 281 : 1991	Amendment No. 2 October 1997	97-10-31
6.	IS 306 : 1983	Amendment No. 1 August 1997	97-08-31
7.	IS 318 : 1981	Amendment No. 1 September 1997	97-09-30
8.	IS 804 : 1967	Amendment No. 1 October 1997	97-10-31
9.	IS 814 : 1991	Amendment No. 3 October 1997	97-10-31
10.	IS 1079 : 1994	Amendment No. 2 October 1997	97-10-31
11.	IS 1237 : 1980	Amendment No. 2 September 1997	97-09-30
12.	IS 1259 : 1984	Amendment No. 3 October 1997	97-10-31
13.	IS 1347 : 1972	Amendment No. 1 October 1997	97-10-31
14.	IS 1397 : 1990	Amendment No. 1 July 1997	97-07-31
15.	IS 1659 : 1990	Amendment No. 3 September 1997	97-09-30
16.	IS 1664 : 1992	Amendment No. 2 August 1997	97-08-31
17.	IS 1825 : 1988	Amendment No. 1 October 1997	97-10-31
18.	IS 2002 : 1992	Amendment No. 2 October 1997	97-10-31
19.	IS 2041 : 1995	Amendment No. 1 October 1997	97-10-31
20.	IS 2096 : 1992	Amendment No. 1 August 1997	97-08-31
21.	IS 2386 (Part 1) : 1963	Amendment No. 3 September 1997	97-09-30
22.	IS 2681 : 1993	Amendment No. 1 October 1997	97-10-31
23.	IS 2742 (Part 3) : 1994	Amendment No. 1 September 1997	97-09-30
24.	IS 2742 (Part 4) : 1994	Amendment No. 1 September 1997	97-09-30
25.	IS 2801 : 1967	Amendment No. 1 September 1997	97-09-30
26.	IS 3075 (Part 3) : 1986	Amendment No. 1 October 1997	97-10-31

(1)	(2)	(3)	(4)
27.	IS 4148 : 1989	Amendment No. 2 October 1997	97-10-31
28.	IS 4985 : 1988	Amendment No. 3 August 1997	97-08-31
29.	IS 5986 : 1992	Amendment No. 3 October 1997	97-10-31
30.	IS 7016 (Part 6) : 1984	Amendment No. 1 October 1997	97-10-31
31.	IS 8072 : 1984	Amendment No. 3 August 1997	97-08-31
32.	IS 8623 (Part 3) : 1993	Amendment No. 1 June 1997	97-06-30
33.	IS 9372 : 1980	Amendment No. 2 October 1997	97-10-31
34.	IS 10066 : 1981	Amendment No. 1 October 1997	97-10-31
35.	IS 11248 : 1905	Amendment No. 1 November 1997	97-11-30
36.	IS 11844 : 1987	Amendment No. 1 October 1997	97-10-31
37.	IS 11852 (Part 3) : 1987	Amendment No. 3 September 1997	97-09-30
38.	IS 11860 : 1986	Amendment No. 1 October 1997	97-10-31
39.	IS 11898 : 1986	Amendment No. 1 October 1997	97-10-31
40.	IS 11899 : 1986	Amendment No. 1 October 1997	97-10-31
41.	IS 12212 : 1987	Amendment No. 1 October 1997	97-10-31
42.	IS 12340 : 1988	Amendment No. 1 October 1997	97-10-31
43.	IS 12963 : 1990	Amendment No. 1 August 1997	97-08-31
44.	IS 13008 : 1990	Amendment No. 1 September 1997	97-09-30
45.	IS 13458 : 1994	Amendment No. 1 September 1997	97-09-30
46.	IS 13488 : 1992	Amendment No. 2 August 1997	97-08-31
47.	IS 14121 : 1995	Amendment No. 1 October 1997	97-10-31
48.	IS 14151 (Part 1) : 1994	Amendment No. 3 September 1997	97-09-30

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi 110 002 and Regional Offices : New Delhi, Calcutta, Chandigarh, Madras and Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna and Thiruvananthapuram.

[No. CMD/13 : 5]

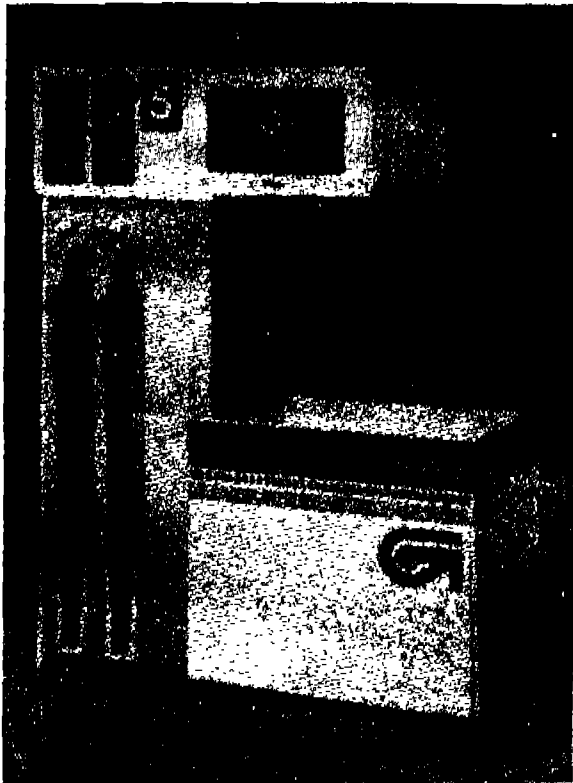
B. MUKHERJI, Addl. Director Gen

खाद्य और उपभोक्ता मामले मंत्रालय**(उपभोक्ता मामले विभाग)**

नई दिल्ली, 24 दिसम्बर, 1997

का.आ. 23 :— विहित प्राधिकारी ने गिलबारको इन्क ग्रीन्सबोरो एन. सी. 22087 संयुक्त राज्य अमेरिका और मै. गिलबारको लिमिटेड क्राम्पटन क्लोज, वासिलडान, ऐसेक्स एस एस 14-3 बी ए द्वारा प्रस्तुत किए गए दस्तावेजों के आधार पर बिना कोई परीक्षण किए, रिपोर्ट में वर्णित माडल का अनुमोदन करते हुए एक रिपोर्ट प्रस्तुत की है और केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट पर विचार करने के पश्चात्, समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल नीचे दी गई आकृति देखें बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और संभावना यह है कि अविरत, उपयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और परिवर्तित दशाओं में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पैट्रोसियम उत्पादों के निकास के लिए "डाइमेंशन-यूरो डाइमेंशन" शृंखला के अंकीय प्रदर्शन वाले बहुप्रयोजनीय वितरक पम्पों के माडल (जिसे इसमें इसके पश्चात् माडल कहा गया है) और जिसका व्यापारिक नाम "डाइमेंशन" है और जिसका विनिर्माण मैसर्स गिलबारको इन्क ग्रीन्सबोरो एन सी 22087 संयुक्त राज्य अमेरिका और (2) मै. गिलबारको लिमिटेड क्राम्पटन क्लोज, वासिलडान ऐसेक्स एस. एस. 14-3 बी ए, द्वारा किया गया है, भारत में जिसका वर्णन मैसर्स ऐवरी इंडिया लिमिटेड, बल्लभगढ़ द्वारा किया जा रहा है और जिसे अनुमोदन चिह्न आई.एन.डी./13/96/70 समनुदिष्ट किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है ।



आकृति

यह माडल (आकृति देखिए) पेट्रोलियम उत्पादों के निवास के लिए डाइमेंशन और यूरो डाइमेंशन श्रृंखला के अंकीय प्रदर्शन वाली बहुप्रयोजनीय वितरक पम्प हैं। मशीन के तकनीकी ब्यौरे निम्नलिखित हैं :—

विनिर्माता	:	1. मैसर्स गिलबारको इन्क ग्रीन्सबोरो एस.सी. 22087 संयुक्त राज्य अमेरिका 2. मैसर्स गिलबारको लिमिटेड क्राम्पटन क्लोज बासिलडान ऐसेक्स एस.एस. 14-3 बी ए
यंत्र का नाम	:	पेट्रोलियम उत्पादों के निवास के लिए बहुउद्देशीय वितरक पम्प
टाइप	:	डाइमेंशन और यूरो डाइमेंशन
अधिकतम प्रवाह दर	:	मानक नोजल से 45 लीटर प्रति मिनट बृहत्तर व्यास वाले निकास रबड़ की नली और नोजल से 70 लीटर प्रति मिनट
मात्रा प्रदर्शन	:	0.01 लीटर की वृद्धि पर 999.99 लीटर
अंशशोधन समायोजन	:	5 लीटर की निकासी में 5 मिलीलीटर के केकस्टेपस
अंशशोधन की उपबधित रेंज	:	5 लीटर की निकासी पर ± 75 मिली लीटर
प्रदर्शन एकक	:	"देय रकम" के लिए 25.4 मिली लीटर 6 अंकीय लेड सूचक
"एकक" सेटींग रेंज	:	99.99 रु. तक ।
"देय एकक" सेटींग रेंज	:	9999.9 रु. तक ।
विद्युत् प्रदाय	:	230 वोल्ट 50 हर्टज ए.सी.
तापीय रेंज	:	+ 5 डिग्री सेंटीग्रेड से 40 डिग्री सेंटीग्रेड
निकासी रबड़ नली	:	स्वचालित पुनः प्राप्ति सुविधा सहित 5 मीटर से कम

[फा. सं. डब्ल्यू. एम. 21(54)/96]

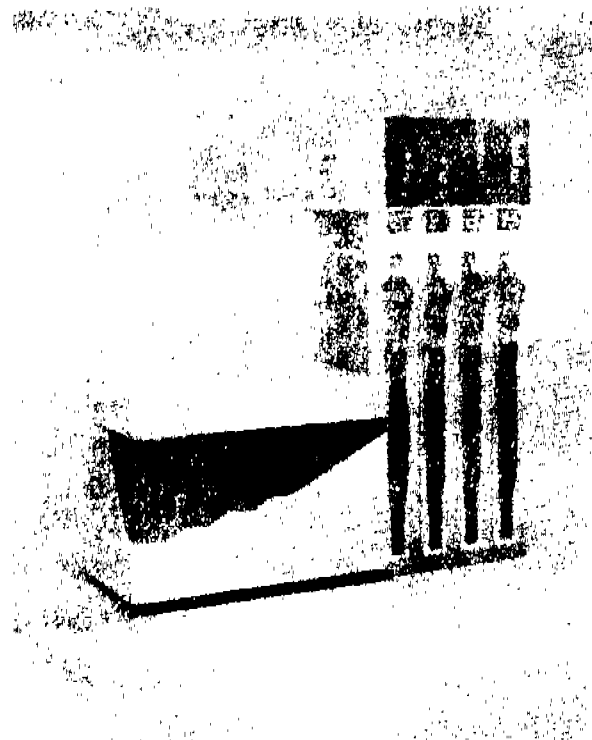
राजीव श्रीवास्तव, अपर सचिव

(Department of Consumer Affairs)

New Delhi, the 24th December, 1997

S.O. 23.— Whereas the prescribed authority has submitted a report approving the Model described in the report on the basis of the documents submitted by M/s. Gilbarco Inc Greensboro, NC 22087 USA and M/s. Gilbarco Ltd., Crompton Close, Basildon, Essex SS14 3BA without conducting any test; and whereas, the Central Government, after considering the said report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of continued use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of multipurpose dispensing pumps for delivery of petroleum products with digital display of "DIMENSION AND EURO-DIMENSION " series (hereinafter referred to as the Model) and with the trade name "DIMENSION" manufactured by (1) M/s. Gilbarco Inc Greensboro, NC 22087 USA, and (2) M/s. Gilbarco Ltd., Crompton Close, Basildon, Essex SS14 3BA and marketed in India by M/s. Avery India Ltd., Ballabgarh, and which is assigned the approval mark IND/ 13/96/70;



Figure

The Model (see the figures) is Multi-purpose dispensing pump meant for delivering petroleum

products with digital display of DIMENSION and EURO-DIMENSION series. The technical details of machine are as follows:

Manufacturer	:	1. M/s Gilbarco Inc Greensboro, NC 22087 USA. 2. M/s Gilbarco Ltd., Crompton Close, Basildon, Essex SS14 3BA.
Name of the Instrument	:	Multi-purpose dispensing pumps to deliver petroleum products.
Type	:	DIMENSION and EURO-DIMENSION.
Maximum flow rate	:	45 litres per minute with standard nozzle. 70 litres per minute with larger diameter deliver hose and nozzle.
Quantity display	:	999. 99 litre in increment of 0. 01 litre
Calibration adjustments	:	In steps of 5 ml in a delivery of 5 litres.
Range of calibration-provided	:	± 75 ml on a delivery of 5 litres.
Display Unit	:	25.4 mm six digit LED indicator for "amount to pay" 17.8 mm four digit LED indicator for Unit Price display (above each hose).
"Unit" setting range	:	Upto Rs 99.99
"Amount to Pay" setting range	:	Upto Rs 9999.9
Power supply	:	230V 50 Hertz a.c.
Temperature range	:	+5° C to 40° C
Delivery Hose	:	Less than 5m with automatic retrieval facility.

[F. No. WM 21 (54)/96]

RAJIV SRIVASTAVA, Addl. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 26 दिसम्बर, 1997

का.आ. 24 :— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1577, तारीख 2 जून, 1997 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 21 जून, 1997 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए, सभी विद्वगंमों से रहित, भारत ओमान रिफाईनरीज़ लिमिटेड में निहित होगा।

अनुसूची				
तालुका: मुळी		जिला: सुरेन्द्रनगर		राज्य: गुजरात
ग्राम का नाम	सर्वेक्षण संख्या/ खंड संख्या	क्षेत्र हेक्टर आरे	सेन्टीआरे	
(1)	(2)	(3)	(4)	(5)
उमरहा	421	0	23	85
	420	0	43	72
	418 पैकी	0	72	00
	417 पैकी	0	60	90
	386	0	91	39
	381	0	01	40
	382 पैकी	0	19	69
	383	0	03	84
	351	0	00	98
	352	0	67	21
	356	0	20	05
	353	0	23	62
	355	0	46	79
	354/1	0	00	50
	332	0	12	31
	333	0	73	32
	330/2	0	36	37
	327	0	45	80
	287	0	33	15
	286	0	41	12
	258	0	43	55
	259 पैकी	0	09	86
	260	0	00	50
	262 पैकी	0	21	74
	262 पैकी	0	21	74
	263	0	02	76
	261	0	09	38
	661/9	0	23	21
	266 पैकी	0	37	05
धर्मेन्द्रगढ़	131	0	59	17
	128 पैकी	0	40	00
	128 पैकी	0	41	02

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	126/1 पैकी	0	12	80		245	0	09	90
	126/1 पैकी	0	38	35		280 पैकी	0	11	84
	74/1	0	34	20		279	0	23	87
	73/2	0	61	80		281/2	0	15	63
	81/2	0	27	50		281/1	0	51	88
	81/3	0	42	70		385/1 पैकी	0	00	60
	83	0	39	97		384/1 पैकी	0	88	50
	86 पैकी	0	27	30		375 पैकी	0	12	50
	87 पैकी	0	45	45		371	0	15	75
	89	0	12	87		23	0	79	52
	88 पैकी	0	39	48		24	0	12	90
	98 पैकी	0	14	47		20	0	14	10
	98 पैकी	0	57	90		19	0	23	70
टोडणा	76	0	19	80		18	0	34	05
	78 पैकी	0	16	35		26 पैकी	0	11	40
	78 पैकी	0	16	35		26 पैकी	0	10	20
	77/1	0	08	40		26 पैकी	0	35	00
	77/2	0	29	10		26 पैकी	0	08	10
	79	0	09	90		32	0	02	20
	80 पैकी	0	10	80		28	0	35	85
	80 पैकी	0	10	80		29	0	33	75
	81	0	17	10		30	0	28	50
संगामर	259	1	06	52		50	0	26	10
	232	0	21	88		51	0	18	45
	257	0	13	71		49	0	56	25
	233	0	05	00		58	1	65	15
	255	0	19	65		57 पैकी	0	36	00
	254	0	32	25		57 पैकी	0	62	17
	253	0	48	63		63 पैकी	0	47	32
	250/1	0	29	52	सिधसर	99	0	65	55
	249	0	22	48		100	0	15	60
	248/1	0	26	73		101	0	13	65
	247	0	09	92		102	0	12	00
	246	0	30	03		103 पैकी	0	11	10
	244	0	04	68		103 पैकी	0	11	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	104 पैकी	0	07	76		322	0	18	49
	129	0	62	44		325 पैकी	0	21	30
	128	0	63	90		325 पैकी	0	21	30
	127	0	72	30		325 पैकी	0	35	40
	123	0	36	07		328/1	0	16	80
	122	0	54	01		327	0	52	40
	121	0	17	19		333 पैकी	0	44	40
	119 पैकी	0	10	79		333 पैकी	0	27	30
	139	0	05	70		338	0	02	92
	140	0	40	02		334	0	17	08
	141	0	37	50		336	0	22	80
	142 पैकी	0	41	70		345	0	15	60
	143	0	09	00		346	0	19	50
	144	0	15	60		347	0	15	60
	146 पैकी	0	66	60		348	0	55	80
	150 पैकी	0	27	45		349 पैकी	0	53	10
	150 पैकी	0	27	45		366 पैकी	0	28	05
	151 पैकी	0	45	15	नवाणीया	84	0	03	20
	152	0	80	25		62 पैकी	0	30	00
	154	0	23	70		62 पैकी	0	25	86
	155/2 पैकी	0	10	50		61 पैकी	0	14	31
	155/2 पैकी	0	10	50		61 पैकी	0	14	31
	156	0	22	64		61 पैकी	0	28	83
	157 पैकी	0	01	84		59/4	0	04	27
	160	0	00	36		59/5	0	19	86
	161	0	08	24		59/6	0	28	86
	165 पैकी	0	67	05		59/7	0	11	23
	173 पैकी	0	37	35		59/8	0	00	60
	175	0	14	04		54	0	45	30
	176	0	46	70		53	0	28	05
नौकिया	315 पैकी	0	14	04		43	0	63	30
	319/1/पैकी	1	14	22		44	0	11	25
	318	0	28	98		37	0	26	55
	323 पैकी	0	24	75		36	0	28	65
	323 पैकी	0	30	00					

[फा. सं. आर-31015/3/97-ओआर. II]

के. सी. कटोच, अवर सचिव

Ministry of Petroleum and Natural Gas		(1)	(2)	(3)	(4)	(5)
New Delhi, the 26th December, 1997			418 Paiki	0	72	00
S.O. 24.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No S. O. 1577 dated the 2nd day of June 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;			417 Paiki	0	60	90
And whereas, the copies of the said gazette notification were made available to the public on the 21st day of June, 1997,			386	0	91	39
And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;			381	0	01	40
And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;			382 Paiki	0	19	69
Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;			383	0	03	84
And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Bharat Oman Refineries Limited.			351	0	00	98
			352	0	67	21
			356	0	20	05
			353	0	23	62
			355	0	46	79
			354/1	0	00	50
			332	0	12	31
			333	0	73	32
			330/2	0	36	37
			327	0	45	80
			287	0	33	15
			286	0	41	12
			258	0	43	55
			259 Paiki	0	09	86
			260	0	00	50
			262 Paiki	0	21	74
			262 Paiki	0	21	74
			263	0	02	76
			261	0	09	38
			661/9	0	23	21
			266 Paiki	0	37	05
		Dharmendragadh	131	0	59	17
			128 Paiki	0	40	00
			128 Paiki	0	41	02
			126/1 Paiki	0	12	80
			126/1 Paiki	0	38	35
			74/1	0	34	20
			73/2	0	61	80

Schedule				
Taluka	Muh	District	Surendranagar	State:Gujarat
Name of Village	Survey/Block No.	Area		
(1)	(2)	(3)	(4)	(5)
Umarda	421	0	23	85
	420	0	43	72

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	81/2	0	27	50		281/2	0	15	63
	81/3	0	42	70		281/1	0	51	88
	83	0	39	97		385/1 Paiki	0	00	60
	86 Paiki	0	27	30		384/1 Paiki	0	88	50
	87 Paiki	0	45	45		375 Paiki	0	12	50
	89	0	12	87		371	0	15	75
	88 Paiki	0	39	48		23	0	79	52
	98 Paiki	0	14	47		24	0	12	90
	98 Paiki	0	57	90		20	0	14	10
Idana	76	0	19	80		19	0	23	70
	78 Paiki	0	16	35		18	0	34	05
	78 Paiki	0	16	35		26 Paiki	0	11	40
	77/1	0	08	40		26 Paiki	0	10	20
	77/2	0	29	10		26 Paiki	0	35	00
	79	0	09	90		26 Paiki	0	08	10
	80 Paiki	0	10	80		32	0	02	20
	80 Paiki	0	10	80		28	0	35	85
	81	0	17	10		29	0	33	75
Somasar	259	1	06	52		30	0	28	50
	232	0	21	88		50	0	26	10
	257	0	13	71		51	0	18	45
	233	0	05	00		49	0	56	25
	255	0	19	65		58	1	65	15
	254	0	32	25		57 Paiki	0	36	00
	253	0	48	63		57 Paiki	0	62	17
	250/1	0	29	52		63 Paiki	0	47	32
	249	0	22	48	Siddhasar	99	0	65	55
	248/1	0	26	73		100	0	15	60
	247	0	09	92		101	0	13	65
	246	0	30	03		102	0	12	00
	244	0	04	68		103 Paiki	0	11	10
	245	0	09	90		103 Paiki	0	11	10
	280 Paiki	0	11	84		104 Paiki	0	07	76
	279	0	23	87		129	0	62	44

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	128	0	63	90		325 Paiki	0	21	30
	127	0	72	30		325 Paiki	0	21	30
	123	0	36	07		325 Paiki	0	35	40
	122	0	54	01		328/1	0	16	80
	121	0	17	19		327	0	52	40
	119 Paiki	0	10	79		333 Paiki	0	44	40
	139	0	05	70		333 Paiki	0	27	01
	140	0	40	02		338	0	02	02
	141	0	37	50		334	0	17	08
	142 Paiki	0	41	70		336	0	22	01
	143	0	09	00		345	0	15	01
	144	0	15	60		346	0	19	50
	146 Paiki	0	66	60		347	0	15	60
	150 Paiki	0	27	45		348	0	55	80
	150 Paiki	0	27	45		349 Paiki	0	53	10
	151 Paiki	0	45	15		366 Paiki	0	28	05
	152	0	80	25	Navaniya	84	0	03	20
	154	0	23	70		62 Paiki	0	30	00
	155/2 Paiki	0	10	50		62 Paiki	0	25	86
	155/2 Paiki	0	10	50		61 Paiki	0	14	31
	156	0	22	64		61 Paiki	0	14	31
	157 Paiki	0	01	84		61 Paiki	0	28	83
	160	0	00	36		59/4	0	04	27
	161	0	08	24		59/5	0	19	86
	165 Paiki	0	67	05		59/6	0	28	86
	173 Paiki	0	37	35		59/7	0	11	23
	175	0	14	04		59/8	0	00	60
	176	0	46	70		54	0	45	30
	315 Paiki	0	14	04		53	0	28	05
Naha	319/1/Paiki	1	14	22		43	0	63	30
	318	0	28	98		44	0	11	25
	323 Paiki	0	24	75		37	0	26	55
	323 Paiki	0	30	00		36	0	28	65
	322	0	18	49					

[File No. R-31015/3/97-OR.II]

K. C. Katoch, Under Secy

नई दिल्ली, 29 दिसम्बर, 1997

का.आ. 25 :— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1671, तारीख 2 जून, 1997 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी;

उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 5 जुलाई, 1997 को उपलब्ध करा दी गई थी;

उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किए जाने चाहिए;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए, सभी विलुप्तगमों से रहित, भारत ओमान रिफाईनरीज़ लिमिटेड में निहित होगा।

अनुसूची				
तालुका: चोटीला जिला: सुरेन्द्रनगर राज्य: गुजरात				
ग्राम का नाम	सर्वेक्षण संख्या/ खंड संख्या	क्षेत्र हेक्टर आरे	सेन्टीआरे	
(1)	(2)	(3)	(4)	(5)
आणंदपुर (थान)	25/पैकी	0	09	95
	25/पैकी	0	09	95
	25/पैकी	0	09	95
	26/पैकी	0	16	13
	26/पैकी	0	16	12
	21	0	56	70
	20	0	56	25
	19/1 पैकी	0	18	62
	19/1 पैकी	0	18	63
	12	0	32	40
रामपरा (थान)	68	0	38	85
	72/1	0	39	52
	72/2	0	39	53
	73	0	48	00
	74/1	0	28	95
लाखामाची	99 पैकी	0	28	75
	100	0	18	00
	101/1	0	76	50
	101/2	0	25	37
	102/2	0	36	28
	149/1	0	13	80
	146/1	0	82	13
	138	0	05	50
देवलीया	71/1	0	45	83
	71/2	0	08	93
	71/3	0	23	93
	26/2	0	27	60
	31/1 पैकी	0	67	20
	33/1 पैकी	0	23	70
	33/2 पैकी	0	26	60
	33/2 पैकी	0	17	40
	34/2	0	13	64
रूपावटी	96/पैकी	0	43	40
	95/पैकी	0	29	47

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	94 पैकी	0	26	04		256/6	0	18	45
	99/1	0	33	09		231/2 पैकी	0	06	86
	100	0	28	24		231/2 पैकी	0	06	85
	101	0	34	77		231/1 पैकी	0	07	50
	110/2	0	11	96		227/1	0	45	44
	110/3	0	12	09		227/2 पैकी	0	30	60
	109/1 पैकी	0	32	25		227/2 पैकी	0	22	42
	109/1	0	30	00		226/3	0	34	59
	8/2	0	45	79		225/1	0	21	03
	7	0	06	86		219/पैकी	0	22	60
	6/2 पैकी	0	00	85		211/2 पैकी	0	65	27
	6/2 पैकी	0	01	18		211/2 पैकी	0	28	50
	14/1	0	27	37		211/3	0	14	09
	14/3	0	22	00		212/1	0	77	85
	15/1	0	25	80		208 पैकी	0	30	19
	15/2	0	31	37		208 पैकी	0	73	20
	15/4	0	02	00		208 पैकी	0	15	90
	16 पैकी	0	18	75		208 पैकी	0	45	72
	16 पैकी	0	76	51		206/2	0	37	69
	23 पैकी	0	03	48		203 पैकी	0	05	62
थानगढ़	343	0	25	75		203 पैकी	0	24	30
	333 पैकी	0	19	20		203 पैकी	0	31	58
	333 पैकी	0	19	05		202 पैकी	0	58	20
	333 पैकी	0	19	00		202/पैकी	0	01	47
	333 पैकी	0	19	00		201/पैकी	0	51	90
	333 पैकी	0	19	00		201/पैकी	0	33	00
	330/2	0	28	50		201/पैकी	0	38	11
	329/2 पैकी	0	36	30		153/2	0	26	25
	321/2	0	08	78	खाखरावाली	164/1 पैकी	0	56	55
	321/1	0	29	47		166	0	25	50
	317/पैकी	0	66	30		168/2	0	10	50
	316	0	40	20		168/3	0	18	30
	315/5	0	10	62		168/4	0	34	80
	252/2	0	43	38		3/2 पैकी	0	63	58
	252/1	0	32	70		5/3 पैकी	0	02	73
	254/2 पैकी	0	34	01		11	0	31	05
	254/1	0	27	49		10/1	0	46	05
	255/2	0	35	52		43	0	20	40
	256/2	0	01	55		44/पैकी	0	23	55
	256/8 पैकी	0	12	79		47/1	0	91	80
	256/8 पैकी	0	15	00	रावराणी	1/पैकी	0	05	45

(1)	(2)	(3)	(4)	(5)
	1/पैकी	0	70	10
	2	0	34	60
	3	0	16	80
	13/पैकी	0	40	55
	13/पैकी	0	34	00
	13/पैकी	0	24	86
	13/पैकी	0	00	57
	12	0	89	83
	17	0	00	35
	11	0	09	62

[फा. सं. आर-31015/4/97-ओआर. II]

के. सी. कटोच, अवर सचिव

New Delhi, the 29th December, 1997

S.O. 25.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S. O. 1671 dated the 2nd day of June, 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962); (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas, the copies of the said gazette notification were made available to the public on the 5th day of July, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Bharat Oman Refineries Limited;

Schedule

Taluka: Chotila District: Surendranagar State: Gujarat				
Name of Village	Survey/Block No.	Area		
		Hectare	Are	Centare
(1)	(2)	(3)	(4)	(5)
Anandpur (Than)	25/Paiki	0	09	95
	25/Paiki	0	09	95
	25/Paiki	0	09	95
	26/Paiki	0	16	13
	26/Paiki	0	16	12
	21	0	56	70
	20	0	56	25
	19/1Paiki	0	18	62
	19/1Paiki	0	18	63
	12	0	32	40
Rampara (Than)	68	0	38	85
	72/1	0	39	52
	72/2	0	39	53
	73	0	48	00
	74/1	0	28	95
Lakhamachi	99 Paiki	0	28	75
	100	0	18	00
	101/1	0	76	50
	101/2	0	25	37
	102/2	0	36	28
	149/1	0	13	80
	146/1	0	82	13
	138	0	05	50
Devaliya	71/1	0	45	83
	71/2	0	08	93
	71/3	0	23	93
	26/2	0	27	60
	31/1Paiki	0	67	20
	33/1Paiki	0	23	70
	33/2 Paiki	0	26	60
	33/2 Paiki	0	17	40
	34/2	0	13	64
Rupavati	96/Paiki	0	43	40
	95/Paiki	0	29	47
	94Paiki	0	26	04

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Thangadh	99/1	0	33	09		226/3	0	34	59
	100	0	28	24		225/1	0	21	03
	101	0	34	77		219/Paiki	0	22	60
	110/2	0	11	96		211/2 Paiki	0	65	27
	110/3	0	12	09		211/2 Paiki	0	28	50
	109/1Paiki	0	32	25		211/3	0	14	09
	109/1	0	30	00		212/1	0	77	85
	8/2	0	45	79		208 Paiki	0	30	19
	7	0	06	86		208 Paiki	0	73	20
	6/2 Paiki	0	00	85		208 Paiki	0	15	90
	6/2 Paiki	0	01	18		208 Paiki	0	45	72
	14/1	0	27	37		206/2	0	37	69
	14/3	0	22	00		203 Paiki	0	05	62
	15/1	0	25	80		203 Paiki	0	24	30
	15/2	0	31	37		203 Paiki	0	31	58
	15/4	0	02	00		202 Paiki	0	58	20
	16 Paiki	0	18	75		202/Paiki	0	01	47
	16 Paiki	0	76	51		201/Paiki	0	51	90
	23 Paiki	0	03	48		201/Paiki	0	33	00
	343	0	25	75		201/Paiki	0	38	11
	333Paiki	0	19	20	Khakhrawali	153/2	0	26	25
	333Paiki	0	19	05		164/1Paiki	0	56	55
	333Paiki	0	19	00		166	0	25	50
	333Paiki	0	19	00		168/2	0	10	50
	333Paiki	0	19	00		168/3	0	18	30
	330/2	0	28	50		168/4	0	34	80
	329/2Paiki	0	36	30		3/2 Paiki	0	63	58
	321/2	0	08	78		5/3 Paiki	0	02	73
	321/1	0	29	47		11	0	31	05
	317/Paiki	0	66	30		10/1	0	46	05
	316	0	40	20		43	0	20	40
	315/5	0	10	62		44/Paiki	0	23	55
	252/2	0	43	38		47/1	0	91	80
	252/1	0	32	70	Ravrani	1/Paiki	0	05	45
	254/2 Paiki	0	34	01		1/Paiki	0	70	10
	254/1	0	27	49		2	0	34	60
	255/2	0	35	52		3	0	16	80
	256/2	0	01	55		13/Paiki	0	40	55
	256/8 Paiki	0	12	79		13/Paiki	0	34	00
	256/8 Paiki	0	15	00		13/Paiki	0	24	86
	256/6	0	18	45		13/Paiki	0	00	57
	231/2Paiki	0	06	86		12	0	89	83
	231/2Paiki	0	06	85		17	0	00	35
	231/1Paiki	0	07	50		11	0	09	62
	227/1	0	45	44					
	227/2 Paiki	0	30	60					
	227/2 Paiki	0	22	42					

[File No. R-31015/4/97-OR.II]

K. C. Katoch, Under Secy

अनुसूची

नई दिल्ली, 29 दिसम्बर, 1997

तालुका: लींबडी जिला: सुरेन्द्रनगर राज्य: गुजरात

का.आ. 26 :— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962(1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1672, तारीख 2 जुन, 1997 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी;

उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 5 जुलाई, 1997 को उपलब्ध करा दी गई थी;

उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विलुप्तियों से रहित भारत ओमान रिफाईनरीज लिमिटेड में निहित होगा।

गांव का नाम	सर्वेक्षण संख्या/ खंड संख्या	क्षेत्र हेक्टर	आरे	सेन्टीआरे
(1)	(2)	(3)	(4)	(5)
रासका	39/1	0	16	02
	38	0	28	05
	37 पैकी	0	44	10
	35	0	44	40
	16 पैकी	0	22	05
	15 पैकी	0	37	50
	14 पैकी	0	16	20
	14 पैकी	0	33	30
	13 पैकी	0	41	40
	12	0	45	08
	11	0	08	00
	138	0	01	26
	236	0	25	69
	235 पैकी	0	13	22
	235 पैकी	0	00	41
	238	0	36	98
	239	0	52	80
	243 पैकी	0	25	20
	243 पैकी	0	12	15
	244	0	27	51
	242	0	63	09
लींबडी	586/2	0	07	12
	586/4	0	01	37
	586/3	0	48	56
	583	0	68	25
	582	0	39	33
अंकेवाळीया	223	0	45	60
	224	0	20	70
	234	0	23	98
	233 पैकी	0	43	70
	238	0	39	49
	239	0	32	93
	242	0	05	34

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	243 पैकी	0	63	90		275	0	14	40
	248	0	48	45		272	0	54	89
	253	0	39	15		158 पैकी	0	04	50
	267	0	17	70		158 पैकी	0	11	10
	268	0	19	35		157	0	27	56
	314/पैकी2	0	22	80		156	0	12	65
	314/पैकी1	0	17	85		155	0	00	42
	312 पैकी	0	07	44		159	0	08	55
	313	0	64	95		160	0	11	40
	323	0	60	30		161	0	19	80
	325 पैकी	0	14	10		162	0	31	40
	325 पैकी	0	33	30		167	0	00	10
	325 पैकी	0	19	20		168	0	03	29
	332	0	67	65		169	0	08	96
	331 पैकी	0	74	70		170	0	24	30
भलगामडा	296 पैकी	0	17	00		172	0	00	12
	296 पैकी	0	17	00		171	0	25	65
	296 पैकी	0	17	00		174	0	15	00
	297	0	18	00		175	0	14	70
	298	0	15	32		176	0	45	15
	292	0	00	20		177	0	39	12
	299	0	17	16		35	0	02	20
	289	0	46	85		34	0	18	45
	300	0	05	93		33	0	08	85
	302	0	00	65		32	0	09	45
	288	0	17	85		31	0	14	70
	287	0	15	45		6 पैकी	0	21	15
	286	0	15	90		7	0	24	30
	285 पैकी	0	08	40		8	0	41	20
	285 पैकी	0	08	40		9	0	06	93
	284	0	38	15		1227	0	32	80
	283	0	24	45		1228	0	35	10
	282	0	15	30		1233/पैकी1	0	13	95
	281	0	13	80		1229	0	10	05
	280	0	37	65		1230	0	16	80
	279	0	14	55		1187	0	32	10
	278 पैकी	0	19	02		1188	0	25	65
	278 पैकी	0	19	03		1171	0	02	96
	277	0	10	80		1169	0	27	47
	276	0	10	05		1172	0	01	40

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	1167	0	33	00		88 पैकी	0	22	50
	1170	0	26	85		88 पैकी	0	23	70
	1160	0	22	80		65	0	41	64
	1161	0	27	25		64 पैकी	0	78	82
	1162	0	18	00		63 पैकी	0	05	21
	1118	0	32	40		63 पैकी	0	05	06
	1122	0	04	83	जाखण	258/1/1	0	12	30
	1119	0	34	27		258/1/2	0	13	20
	1120	0	08	10		257	0	23	40
	1116 पैकी	0	00	57		255	0	25	50
	1102	0	51	36		254	0	58	80
	1101	0	12	90		212/1	0	41	70
	1100	0	45	12		214	0	27	60
	1103 पैकी	0	09	66		216 पैकी	0	32	10
	1103 पैकी	0	12	30		217/2	0	25	20
	1098 पैकी	0	30	75		217/4	0	20	40
	1097	0	09	15		191/1 पैकी	1	12	35
	1096	0	13	80		147 पैकी	0	64	05
	1095	0	19	20		148/1	0	08	40
	1091	0	15	30		149	0	16	80
	1090	0	14	55		150	0	37	80
	1089	0	27	45		152 पैकी	0	00	36
	1086	0	12	32		152 पैकी	0	00	76
	1085	0	10	66	कटारीया	338	0	98	53
	1082	0	04	75		339	0	72	60
चोरणीया	174	0	11	52		305	0	00	63
	173	0	10	40		304	0	26	53
	172	0	17	00		303/पैकी	0	21	60
	170	0	10	50		303/पैकी	0	39	60
	169	0	07	20		303/पैकी	0	42	00
	168	0	07	50		302/1 पैकी	0	49	27
	165	0	31	50		299	0	59	05
	164 पैकी	0	33	60		298 पैकी	0	30	00
	164 पैकी	0	31	50		298 पैकी	0	21	30
	159 पैकी	0	33	90		184 पैकी	0	28	05
	158	0	07	80		185 पैकी	0	30	90
	157	0	13	35		187 पैकी	0	35	40
	156 पैकी	0	50	70		189	0	66	12
	87	0	44	07		176 पैकी	0	24	15
	86	0	29	46		190 पैकी	0	00	90

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	175 पैकी	0	23	40		44	0	03	50
	174 पैकी	0	23	40		43/4	0	08	54
	173/2	0	21	90		43/5	0	26	10
	172	0	21	75		73/1 पैकी	0	39	90
	171 पैकी	0	21	90		74	0	32	16
	170	0	10	50		79 पैकी	0	24	01
	169	0	12	00		79 पैकी	0	24	01
	168 पैकी	0	31	95		75/2	0	18	98
	165	0	23	25		78/2	0	10	61
	164 पैकी	0	07	95		76	0	04	79
	164 पैकी	0	07	95		77	0	09	58
	164 पैकी	0	07	95		78/1	0	23	03
	162 पैकी	0	22	20		65/2	0	41	28
	163 पैकी	0	23	70		65/1	0	00	10
	161 पैकी	0	23	10		90/2	0	30	75
	160 पैकी	0	19	20		91/1	0	42	00
	152	0	45	15		91/2	0	01	40
	151 पैकी	1	06	65		89/1	0	00	93
टोकराळा	288 पैकी	0	48	57		92	0	27	00
	286	0	02	20		93/1	0	29	33
	287	0	16	50		93/2	0	04	37
	293	0	17	25		134/1	0	08	70
	292	0	16	50		104	0	36	60
	290/1	0	32	55		103 पैकी	0	37	85
	300	0	26	10		103 पैकी	0	01	00
	301	0	24	90	पाणसीणा	1774	0	27	75
	302/1	0	36	15		1773	0	23	40
	302/2	0	46	92		1772	0	41	40
	11	0	35	72		1771 पैकी	0	14	10
	22	0	20	70		1770	0	22	35
	24	0	72	96		1769	0	30	60
	9/1	0	43	35		1768	0	28	80
	41/1	0	24	83		1766	0	00	16
	41/2	0	05	22	रळोल	731	0	63	00
	41/3	0	23	21		734	0	02	01
	40	0	22	40		732/2 पैकी	0	00	10
	41/4	0	09	75		733	0	52	95
	45/2	0	26	85		736	0	75	83
	43/3	0	14	73		737	0	22	89
	45/1	0	06	93		744 पैकी	0	11	50

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	744 पैकी	0	13	43		1199	0	01	30
	738	0	13	62		1163	0	68	50
	742	0	04	05		1164	0	14	68
	743	0	22	43		1165	0	06	23
	778/2	0	75	30		1158	0	65	88
	823	0	45	45		1157	0	10	54
	824	0	55	39		1156	0	28	65
	825/1	0	33	35		1152	0	15	90
	825/2	0	33	36		1153	0	15	75
	918/1 पैकी	0	43	05		1147/पैकी2	0	33	60
	917	0	28	35		1142	0	61	05
	916	0	25	65	धनश्यामपर	115	0	68	55
	915	0	23	14		116	0	47	25
	914	0	01	88		117	0	00	45
	913	0	44	65		130	0	00	81
	964	0	46	82		131	0	61	50
	970	0	14	97		132	0	60	60
	971	0	43	10		137	0	62	25
	969	0	02	91		138	0	27	15
	973	0	01	50		139	0	37	35
	978/1	0	46	95		148	0	65	40
	1027/पैकी1	0	06	92		149	0	61	80
	1027/पैकी2	0	52	62		156	0	41	40
	1028	0	39	75		155	0	18	75
	1026	0	15	21		158	0	70	20
	1051	0	20	25		163	0	55	20
	1929	0	15	15		167	0	07	48
	1054	0	24	30		166	0	52	10
	1240	0	38	40		169	0	01	30
	1239	0	30	30		168	0	63	00
	1238	0	04	08		171	0	63	00
	1237	1	33	89		173	0	59	88
	1235	0	47	70		174/1 पैकी	0	00	72
	1233	0	22	80	जनशाळी	91	0	32	10
	1203	0	11	85		88	0	45	60
	1202	0	09	60		86	0	43	80
	1201	0	27	90					
	1200 पैकी	0	07	38					
	1200 पैकी	0	16	50					
	1200 पैकी	0	15	00					

[फा. सं. आर-31015/5/97-ओआर. II]

के. सी. कटोच, अवर सचिव

New Delhi, the 29th December, 1997

Schedule

Taluka: Limbdi District: Surendranagar State: Gujarat

S.O. 26.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S. O. 1672 dated the 2nd June, 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas, the copies of the said gazette notification were made available to the public on the 5th day of July, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Bharat Oman Refineries Limited;

Name of Village	Survey/Block No.	Area Hectare Are Centare		
(1)	(2)	(3)	(4)	(5)
Raska	39/1	0	16	02
	38	0	28	05
	37 Paiki	0	44	10
	35	0	44	40
	16 Paiki	0	22	05
	15 Paiki	0	37	50
	14 Paiki	0	16	20
	14 Paiki	0	33	30
	13 Paiki	0	41	40
	12	0	45	08
	11	0	08	00
	138	0	01	26
	236	0	25	69
	235 Paiki	0	13	22
	235 Paiki	0	00	41
	238	0	36	98
	239	0	52	80
	243 Paiki	0	25	20
	243 Paiki	0	12	15
	244	0	27	51
Limbdi	242	0	63	09
	586/2	0	07	12
	586/4	0	01	37
	586/3	0	48	56
	583	0	68	25
Ankewalia	582	0	39	33
	223	0	45	60
	224	0	20	70
	234	0	23	98
	233 Paiki	0	43	70
	238	0	39	49
	239	0	32	93
	242	0	05	34
	243 Paiki	0	63	90
	248	0	48	45

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	253	0	39	15		272	0	54	89
	267	0	17	70		158 Paiki	0	04	50
	268	0	19	35		158 Paiki	0	11	10
	314/Paiki2	0	22	80		157	0	27	56
	314/Paiki1	0	17	85		156	0	12	65
	312 Paiki	0	07	44		155	0	00	42
	313	0	64	95		159	0	08	55
	323	0	60	30		160	0	11	40
	325 Paiki	0	14	10		161	0	19	80
	325 Paiki	0	33	30		162	0	31	40
	325 Paiki	0	19	20		167	0	00	10
	332	0	67	65		168	0	03	29
	331 Paiki	0	74	70		169	0	08	96
Bhalgamda	296 Paiki	0	17	00		170	0	24	30
	296 Paiki	0	17	00		172	0	00	12
	296 Paiki	0	17	00		171	0	25	65
	297	0	18	00		174	0	15	00
	298	0	15	32		175	0	14	70
	292	0	00	20		176	0	45	15
	299	0	17	16		177	0	39	12
	289	0	46	85		35	0	02	20
	300	0	05	93		34	0	18	45
	302	0	00	65		33	0	08	85
	288	0	17	85		32	0	09	45
	287	0	15	45		31	0	14	70
	286	0	15	90		6 Paiki	0	21	15
	285 Paiki	0	08	40		7	0	24	30
	285 Paiki	0	08	40		8	0	41	20
	284	0	38	15		9	0	06	93
	283	0	24	45		1227	0	32	80
	282	0	15	30		1228	0	35	10
	281	0	13	80		1233/Paiki1	0	13	95
	280	0	37	65		1229	0	10	05
	279	0	14	55		1230	0	16	80
	278 Paiki	0	19	02		1187	0	32	10
	278 Paiki	0	19	03		1188	0	25	65
	277	0	10	80		1171	0	02	96
	276	0	10	05		1169	0	27	47
	275	0	14	40		1172	0	01	40

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	1167	0	33	00		86	0	29	46
	1170	0	26	85		88 Paiki	0	22	50
	1160	0	22	80		88 Paiki	0	23	70
	1161	0	27	25		65	0	41	64
	1162	0	18	00		64 Paiki	0	78	82
	1118	0	32	40		63 Paiki	0	05	21
	1122	0	04	83		63 Paiki	0	05	06
	1119	0	34	27	Jakhan	258/1/1	0	12	30
	1120	0	08	10		258/1/2	0	13	20
	1116 Paiki	0	00	57		257	0	23	40
	1102	0	51	36		255	0	25	50
	1101	0	12	90		254	0	58	80
	1100	0	45	12		212/1	0	41	70
	1103 Paiki	0	09	66		214	0	27	60
	1103 Paiki	0	12	30		216 Paiki	0	32	10
	1098 Paiki	0	30	75		217/2	0	25	20
	1097	0	09	15		217/4	0	20	40
	1096	0	13	80		191/1 Paiki	1	12	35
	1095	0	19	20		147 Paiki	0	64	05
	1091	0	15	30		148/1	0	08	40
	1090	0	14	55		149	0	16	80
	1089	0	27	45		150	0	37	80
	1086	0	12	32		152 Paiki	0	00	36
	1085	0	10	66		152 Paiki	0	00	76
	1082	0	04	75	Katariya	338	0	98	53
Chorania	174	0	11	52		339	0	72	60
	173	0	10	40		305	0	00	63
	172	0	17	00		304	0	26	53
	170	0	10	50		303/Paiki	0	21	60
	169	0	07	20		303/Paiki	0	39	60
	168	0	07	50		303/Paiki	0	42	00
	165	0	31	50		302/1 Paiki	0	49	27
	164 Paiki	0	33	60		299	0	59	05
	164 Paiki	0	31	50		298 Paiki	0	30	00
	159 Paiki	0	33	90		298 Paiki	0	21	30
	158	0	07	80		184 Paiki	0	28	05
	157	0	13	35		185 Paiki	0	30	90
	156 Paiki	0	50	70		187 Paiki	0	35	40
	87	0	44	07		189	0	66	12

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	176 Paiki	0	24	15		43/3	0	14	73
	190 Paiki	0	00	90		45/1	0	06	93
	175 Paiki	0	23	40		44	0	03	50
	174 Paiki	0	23	40		43/4	0	08	54
	173/2	0	21	90		43/5	0	26	10
	172	0	21	75		73/1 Paiki	0	39	90
	171 Paiki	0	21	90		74	0	32	16
	170	0	10	50		79 Paiki	0	24	01
	169	0	12	00		79 Paiki	0	24	01
	168 Paiki	0	31	95		75/2	0	18	98
	165	0	23	25		78/2	0	10	61
	164 Paiki	0	07	95		76	0	04	79
	164 Paiki	0	07	95		77	0	09	58
	164 Paiki	0	07	95		78/1	0	23	03
	162 Paiki	0	22	20		65/2	0	41	28
	163 Paiki	0	23	70		65/1	0	00	10
	161 Paiki	0	23	10		90/2	0	30	75
	160 Paiki	0	19	20		91/1	0	42	00
	152	0	45	15		91/2	0	01	40
	151 Paiki	1	06	65		89/1	0	00	93
Tokrala	288 Paiki	0	48	57		92	0	27	00
	286	0	02	20		93/1	0	29	33
	287	0	16	50		93/2	0	04	37
	293	0	17	25		134/1	0	08	70
	292	0	16	50		104	0	36	60
	290/1	0	32	55		103 Paiki	0	37	85
	300	0	26	10		103 Paiki	0	01	00
	301	0	24	90	Pansina	1774	0	27	75
	302/1	0	36	15		1773	0	23	40
	302/2	0	46	92		1772	0	41	40
	11	0	35	72		1771 Paiki	0	14	10
	22	0	20	70		1770	0	22	35
	24	0	72	96	Ralol	1769	0	30	60
	9/1	0	43	35		1768	0	28	80
	41/1	0	24	83		1766	0	00	16
	41/2	0	05	22		731	0	63	00
	41/3	0	23	21		734	0	02	01
	40	0	22	40		732/2 Paiki	0	00	10
	41/4	0	09	75		733	0	52	95
	45/2	0	26	85		736	0	75	83

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	737	0	22	89		1199	0	01	30
	744 Paiki	0	11	50		1163	0	68	50
	744 Paiki	0	13	43		1164	0	14	68
	738	0	13	62		1165	0	06	23
	742	0	04	05		1158	0	65	88
	743	0	22	43		1157	0	10	54
	778/2	0	75	30		1156	0	28	65
	823	0	45	45		1152	0	15	90
	824	0	55	39		1153	0	15	75
	825/1	0	33	35		1147/Paiki2	0	33	60
	825/2	0	33	36		1142	0	61	05
	918/1 Paiki	0	43	05	Ghanshyampur	115	0	68	55
	917	0	28	35		116	0	47	25
	916	0	25	65		117	0	00	45
	915	0	23	14		130	0	00	81
	914	0	01	88		131	0	61	50
	913	0	44	65		132	0	60	60
	964	0	46	82		137	0	62	25
	970	0	14	97		138	0	27	15
	971	0	43	10		139	0	37	35
	969	0	02	91		148	0	65	40
	973	0	01	50		149	0	61	80
	978/1	0	46	95		156	0	41	40
	1027/Paiki1	0	06	92		155	0	18	75
	1027/Paiki2	0	52	62		158	0	70	20
	1028	0	39	75		163	0	55	20
	1026	0	15	21		167	0	07	48
	1051	0	20	25		166	0	52	10
	1929	0	15	15		169	0	01	30
	1054	0	24	30		168	0	63	00
	1240	0	38	40		171	0	63	00
	1239	0	30	30		173	0	59	88
	1238	0	04	08		174/1 Paiki	0	00	72
	1237	1	33	89	Janshali	91	0	32	10
	1235	0	47	70		88	0	45	60
	1233	0	22	80		86	0	43	80
	1203	0	11	85	[File No. R-31015/5/97-OR.II]				
	1202	0	09	60	K. C. Katoch, Under Secy.				
	1201	0	27	90					
	1200 Paiki	0	07	38					
	1200 Paiki	0	16	50					
	1200 Paiki	0	15	00					

अनुसूची

नई दिल्ली, 29 दिसम्बर, 1997

तालुका: वढवाण जिला: सुरेन्द्रनगर राज्य: गुजरात

क्र.आ. 27 :— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1488, तारीख 13 अप्रैल 1997 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 7 जून 1997 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए , सभी विभागों में निहित, भारत ओमान रिफाईनरीज़ लिमिटेड में निहित होगा।

गांव का नाम	सर्वेक्षण संख्या/ खंड संख्या	क्षेत्र हेक्टर आरे सेन्टीआरे		
(1)	(2)	(3)	(4)	(5)
रामपुरा	563	0	60	00
	562/पैकी	0	44	85
	560/1	0	28	50
	560/2	0	10	30
	561	0	63	40
	558	0	28	05
	556/पैकी	0	49	72
	446/पैकी	0	38	85
	452/पैकी	0	72	20
	454/2	0	71	67
	454/1	0	85	50
	459	0	14	84
	419	0	21	30
	416	0	57	15
	415	0	40	85
	203	0	49	35
	202 पैकी	0	57	00
	202 पैकी	0	46	68
	205	0	02	00
	206	0	01	81
	180	0	02	65
	181	0	66	21
	183 पैकी	0	42	30
	17 पैकी	0	29	93
	17 पैकी	0	08	77
	19 पैकी	0	30	60
	20/1	0	15	60
	21	0	71	22
	22	0	01	98
	1306/2 पैकी	0	14	78
	1306/1	0	14	75
	1305 पैकी	0	24	12
	1307	1	00	43

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	1303 पैकी	0	02	10		36	0	15	40
	1303 पैकी	0	00	10		32	0	08	08
	1309 पैकी	0	02	34		28/2 कुआ	0	01	95
	1308	0	38	85		28/1	0	29	44
	1302 पैकी	0	48	05		29 पैकी	0	03	06
	1220 पैकी	0	01	16		27	0	37	80
	1221 पैकी	0	45	75		15 पैकी	0	33	60
	1221 पैकी	0	52	11		16 पैकी	0	69	90
	1222	0	36	90		17	0	11	25
	1223 पैकी	0	34	50		349	0	05	52
	1223 पैकी	0	48	45		348	0	13	14
	1230 पैकी	0	00	55		347	0	23	55
	1233	0	74	70		343	0	14	40
	1245/पैकी	0	33	90		342/पैकी	0	68	25
	1244/पैकी	0	28	65		342/पैकी	0	21	00
	1237/1	0	44	04	बडोद	471/1	0	19	08
	1237/2	0	00	21		471/2	0	00	38
	1238/1	0	21	28		478	0	07	79
	1239	0	00	26		477	0	10	58
	1241 पैकी	0	68	74		476	0	23	40
	1179	0	03	60		472	0	00	10
वा	120	0	50	40		475	0	10	22
	119	0	36	75		480	0	14	10
	117	0	53	25		481	0	08	70
	109	0	22	05		484	0	15	10
	110	0	22	20		485	0	29	70
	111	0	22	80		486	0	29	70
	113 पैकी/1	0	67	33		488 पैकी	0	63	80
	113 पैकी/2	0	04	82		518 पैकी	0	02	25
	108 पैकी	0	00	21		489 पैकी	0	39	87
	97 पैकी	1	14	90		513	0	41	41
	97 पैकी	0	85	29		511	0	05	17
	94	0	01	85		497	0	82	20
	93	0	22	32		450	0	80	03
	92	0	13	63		445	0	40	50
	47	0	99	04		444	0	19	35
	48/1	0	34	65		443	0	21	30
	34 पैकी	0	23	70		442	0	21	30
	35	0	12	75		441 पैकी	0	05	40
	33	0	11	76		441 पैकी	0	13	50

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	440	0	36	47		748/2	0	47	00
	439	0	17	70		749	0	02	50
	438	0	11	70		747	0	50	85
	437	0	28	50		791/1 पैकी	0	27	00
	436	0	10	32		791/1 पैकी	0	21	15
	435	0	57	21		791/2 पैकी	0	07	20
	434 पैकी	1	07	00		792/1	0	24	15
बलदाणा	482/2	0	03	60		792/3	0	24	15
	481/2	0	25	16		836/1	0	16	50
	481/1	0	30	90		836/2	0	17	40
	480/1	0	33	30		836/3	0	15	30
	480/2	0	22	48		837 पैकी	0	18	15
	493/3	0	03	87		837 पैकी	0	18	15
	478	0	75	15		832	0	48	00
	477	0	32	40		831/2	0	42	75
	476	0	10	72		867/1	0	15	60
	475/1	0	14	36		870/1	0	21	75
	475/2	0	14	36		870/2	0	21	00
	472/1	0	31	05		871 पैकी	0	22	50
	473	0	27	60		871 पैकी	0	22	50
	469	1	05	60		827	0	12	37
	653/3	0	08	50		825	0	29	85
	666	0	35	34		824/1	0	12	60
	665/1	0	30	75		824/2	0	12	00
	665/2 पैकी	0	13	50		823/1	0	12	75
	665/2 पैकी	0	13	50		823/2	0	13	80
	664	0	41	25		822	0	31	35
	662	0	46	20	गोमटा	248/2	0	23	25
	674	0	30	45		247	0	23	55
	675	0	31	95		248/1	0	33	30
	709/2	0	34	80		242 पैकी	0	48	30
	708 पैकी	0	18	60		241	0	00	25
	708 पैकी	0	18	60		243 पैकी	0	26	25
	704/1	0	01	41					
	703	0	40	59					
	752	0	01	17					
	754 पैकी	0	56	13	[फा. सं. आर-31015/2/97-ओआर. II]				
	753	0	02	00	के. सी. कटोच, अवर सचिव				
	750/2 पैकी	0	69	80					

New Delhi, the 29th December, 1997

Schedule

Taluka:Wadhwan District:Surendranagar State:Gujarat

S.O. 27.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S. O. 1488 dated the 13th April 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas, the copies of the said gazette notification were made available to the public on the 7th day of June, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Bharat Oman Refineries Limited;

Name of Village	Survey/Block No.	Area		
		Hectare	Are	Centare
(1)	(2)	(3)	(4)	(5)
Rampura	563	0	60	00
	562/Paiki	0	44	85
	560/1	0	28	50
	560/2	0	10	30
	561	0	63	40
	558	0	28	05
	556/Paiki	0	49	72
	446/Paiki	0	38	85
	452/Paiki	0	72	20
	454/2	0	71	67
	454/1	0	85	50
	459	0	14	84
	419	0	21	30
	416	0	57	15
	415	0	40	85
	203	0	49	35
	202 Paiki	0	57	00
	202 Paiki	0	46	68
	205	0	02	00
	206	0	01	81
	180	0	02	65
	181	0	66	21
	183 Paiki	0	42	30
	17 Paiki	0	29	93
	17 Paiki	0	08	77
	19 Paiki	0	30	60
	20/1	0	15	60
	21	0	71	22
	22	0	01	98
	1306/2 Paiki	0	14	78
	1306/1	0	14	75
	1305 Paiki	0	24	12
	1307	1	00	43
	1303 Paiki	0	02	10
	1303 Paiki	0	00	10

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	1309 Paiki	0	02	34		28/2 Well	0	01	95
	1308	0	38	85		28/1	0	29	44
	1302 Paiki	0	43	05		29 Paiki	0	03	06
	1220 Paiki	0	01	16		27	0	37	80
	1221 Paiki	0	45	75		15 Paiki	0	33	60
	1221 Paiki	0	52	11		16 Paiki	0	69	90
	1222	0	36	90		17	0	11	25
	1223 Paiki	0	34	50		349	0	05	52
	1223 Paiki	0	48	45		348	0	13	14
	1230 Paiki	0	00	55		347	0	23	55
	1233	0	74	70		343	0	14	40
	1245/Paiki	0	33	90		342/Paiki	0	68	25
	1244/Paiki	0	28	65		342/Paiki	0	21	00
	1237/1	0	44	04	Vadod	471/1	0	19	08
	1237/2	0	00	21		471/2	0	00	38
	1238/1	0	21	28		478	0	07	79
	1239	0	00	26		477	0	10	58
	1241 Paiki	0	68	74		476	0	23	40
	1179	0	08	60		472	0	00	10
Tuwa	120	0	50	40		475	0	10	22
	119	0	36	75		480	0	14	10
	117	0	53	25		481	0	08	70
	109	0	22	05		484	0	15	10
	110	0	22	20		485	0	29	70
	111	0	22	80		486	0	29	70
	113 Paiki/1	0	67	33		488 Paiki	0	63	80
	113 Paiki/2	0	04	82		518 Paiki	0	02	25
	108 Paiki	0	00	21		489 Paiki	0	39	87
	97 Paiki	1	14	90		513	0	41	41
	97 Paiki	0	85	29		511	0	05	17
	94	0	01	85		497	0	82	20
	93	0	22	32		450	0	80	03
	92	0	13	63		445	0	40	50
	47	0	99	04		444	0	19	35
	48/1	0	34	65		443	0	21	30
	34 Paiki	0	23	70		442	0	21	30
	35	0	12	75		441 Paiki	0	05	40
	33	0	11	76		441 Paiki	0	13	50
	36	0	15	40		440	0	36	47
	32	0	08	08		439	0	17	70

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
Baldana	438	0	11	70		750/2 Paiki	0	69	80
	437	0	28	50		748/2	0	47	00
	436	0	10	32		749	0	02	50
	435	0	57	21		747	0	50	85
	434 Paiki	1	07	00		791/1 Paiki	0	27	00
	482/2	0	03	60		791/1 Paiki	0	21	15
	481/2	0	25	16		791/2 Paiki	0	07	20
	481/1	0	30	90		792/1	0	24	15
	480/1	0	33	30		792/3	0	24	15
	480/2	0	22	48		836/1	0	16	50
	493/3	0	03	87		836/2	0	17	40
	478	0	75	15		836/3	0	15	30
	477	0	32	40		837 Paiki	0	18	15
	476	0	10	72		837 Paiki	0	18	15
	475/1	0	14	36		832	0	48	00
	475/2	0	14	36		831/2	0	42	75
	472/1	0	31	05		867/1	0	15	60
	473	0	27	60		870/1	0	21	75
	469	1	05	60		870/2	0	21	00
	653/3	0	08	50		871 Paiki	0	22	50
	666	0	35	34		871 Paiki	0	22	50
	665/1	0	30	75		827	0	12	37
	665/2 Paiki	0	13	50		825	0	29	85
	665/2 Paiki	0	13	50		824/1	0	12	60
	664	0	41	25		824/2	0	12	00
	662	0	46	20		823/1	0	12	75
	674	0	30	45		823/2	0	13	80
	675	0	31	95		822	0	31	35
	709/2	0	34	80	Gomta	248/2	0	23	25
	708 Paiki	0	18	60		247	0	23	55
	708 Paiki	0	18	60		248/1	0	33	30
	704/1	0	01	41		242 Paiki	0	48	30
	703	0	40	59		241	0	00	25
	752	0	01	17		243 Paiki	0	26	25
	754 Paiki	0	56	13					
	753	0	02	00					

[File No. R-31015/2/97-OR.II]

K. C. Katoch, Under Secy.

नई दिल्ली 30 दिसम्बर 1997.

का.आ. 28 :—केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में भारत पेट्रोलियम कार्पोरेशन लिमिटेड की परिष्करण माहुल, मुंबई से मनमाड तक पेट्रोलियम उत्पादों के परिवहन के लिए परिवहन भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा पाईपलाइन बिछाई जाए ;

और ऐसी पाईपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है ;

अतः, अब, केंद्रीय सरकार, पेट्रोलियम और खनिज पाईपलाइन [भूमि में उपयोग के अधिकार का अर्जन] अधिनियम, 1962 [1962 का 50] की धारा 3 की उपधारा [1] द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, भारत के राजपत्र, में यथाप्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन और भूमि में पाईपलाइन बिछाने के संबंध में आपत्ति लिखित रूप में श्री. टी. के. बागुल, सक्षम प्राधिकारी, मुंबई- मनमाड पाईपलाइन परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, 9-13, वसंत मार्केट, कनाडा कॉर्नर, नासिक - 422002 (महाराष्ट्र) को कर सकेगा ।

अनुसूची

तहसील : निफाड	जिला : नासिक	राज्य : महाराष्ट्र		
गांव	गट नं	सर्वे न	क्षेत्र	
		हेक्टेयर	आर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)
मरलगोई खुर्द	106	0	11	00
	137/1	0	18	00
	145/2	0	45	00
	146	0	08	00
	164	0	75	00
	179	0	02	00
	183	0	01	50
	188/1	0	43	00
	107	0	19	00
	108/A	0	06	00
	109	0	19	00
	117/A/1	0	03	00
	163	0	56	00
मरलगोई बुद्रुक	58	0	01	00
	67	0	06	00
	106/3	0	01	00
	94	0	30	00

(1)	(2)	(3)	(4)	(5)
	57	0	03	90
	97	0	14	00
	96/3	0	15	00
गोलेगाव	61/1	0	01	00
	49/2/1	0	06	00
	50/A/3	0	17	00
	43	0	09	00
	32/2	0	02	00
	31	0	06	00
	50/B	0	05	00
डोंगरगाव	77/B	0	02	00
	376/2	0	15	00
	394/2	0	04	00
	394/1	0	01	00
	77/A	0	12	00
	78/4	0	22	00
	78/5	0	07	00
	115	0	03	00
	337/2	0	02	00
	348	0	11	00
	351/2	0	07	00
	353/3	0	01	00
	382/1	0	04	00
	401/4	0	06	00
	401/1	0	07	00
	401/3	0	10	00
	402/2	0	05	00
	402/1	0	02	00
	403	0	16	00
	350/1	0	02	00
नांदगाव	296/3	0	11	00
	295/3	0	02	00
धारणगाव वीर	110	0	02	40
	39	0	02	90
	113/2	0	04	00
	111	0	12	00
	107/1	0	16	00
	106/1/A	0	03	00
	106/1/C	0	19	00
	106/2	0	09	00
धारणगाव खडक	422	0	23	00
	457/1	0	15	00
	416	0	01	00
	412	0	05	00
	413	0	15	50

(1)	(2)	(3)	(4)	(5)
	441	0	09	00
	442	0	06	00
	165/1	0	26	40
	164	0	50	00
	163	0	00	50
	102	0	15	00
	113	0	10	55
	487/1	0	14	00
	122/2	0	14	00
	123/2	0	19	00
	127/A/2	0	04	50
	127/B/2	0	36	00
	421/B	0	01	00
	418	0	16	00
	166	0	18	00
	110	0	04	00
	118	0	15	00
	125	0	03	00
	5/2	0	04	00
गाजरवाडी	419/1	0	21	00
	421/1	0	15	00
	422	0	01	00
	425	0	03	00
	426	0	11	00
नांदुर मध्यमेश्वर	653	0	01	00
	80/1	0	27	00
	80/7	0	22	00
	646	0	02	00
	628/1	0	02	00
	631	0	08	00
	698	0	04	00
	502	0	01	00
	503	0	01	00
	500	0	10	00
	80/6	0	10	00
	143	0	09	00
	140	0	10	00
	484/1	0	03	00
	278	0	01	00
	277	0	05	00
	276	0	07	00
खानगाव थडी	251	0	30	00
	254	0	87	00
	248	0	10	00
	247	0	13	00
	163/1	0	25	00
	163/2	0	02	00

(1)	(2)	(3)	(4)	(5)
	173	0	37	00
	220	0	27	00
	162	1	50	00
	253	0	04	00
	160	0	17	30
	221	0	35	00
तारु खेडले	389	0	05	30
	385	0	00	76
	306	0	08	00
म्हालसाकोरे	451	0	04	00
	650/2	0	01	00
	592/2	0	09	00
	507	0	00	50
	485	0	16	00
	482	0	14	00
	449	0	07	00
	446	0	72	00
	139	0	26	00
	46	0	07	00
	44	0	01	00
	33	0	11	00
	168	0	05	00
	170	0	01	00
	179	0	05	00
	447	0	13	00
	109	0	04	50
	653	0	15	00
	650/1	0	24	00
	596	0	14	00
	580/1	0	25	00
	506	0	01	00
	504	0	06	00
	481	0	10	00
	448	0	58	00
औरंगपूर	226	0	68	00
महाजनपूर	55/5	0	10	38
	55/4	0	25	00
	55/3	0	02	00
	99	0	72	00
	103	0	45	00
	92	0	23	00
	93	0	69	00
	109	0	03	00
	57	0	01	00
	59	0	25	00
	64	0	03	00

(1)	(2)	(3)	(4)	(5)
	65	0	01	00
	94/1	0	30	00
तहसील सिन्नर				
हिवरगांव	76/2	0	00	41
	68	0	01	14
	65	0	00	84
	64	0	07	65
	63/3	0	06	75
	53	0	01	13
	34/6	0	05	32
	34/5	0	01	56
	34/8	0	25	87
	34/9	0	28	52
	34/10	0	12	82
पाटपिपरी	80	0	20	00
	79	0	22	00
	71	0	12	00
	72/8	0	32	00
	63/5	0	10	00
	39	0	05	00
	42	0	02	00
	44	0	04	00
	43	0	03	00
	606	0	07	00
	605	0	02	00
	602	0	27	00
	601	0	10	00
	600	0	09	00
	598/1	0	01	00
	833/2	0	16	00
	833/1	0	19	00
	28	0	04	00
	31/2	0	10	00
	34	0	02	00
	35	0	01	00
	37	0	02	00
	625/1	0	15	00
	626/1	0	02	00
	626/2	0	03	50
	623/2	0	06	00
	623/1	0	07	00
	628	0	03	00
	618	0	05	00
	573	0	04	00
	570	0	04	00
	571	0	08	10
	639	0	04	00
	661/4	0	12	00

(1)	(2)	(3)	(4)	(5)
	673/2	0	06	00
	731	0	23	00
	732/3	0	06	50
	732/4	0	06	50
	732/1	0	09	00
	730	0	02	00
	728	0	14	00
	723	0	16	00
	722	0	02	00
	712/3	0	03	00
	798	0	02	00
	802	0	00	50
	803	0	06	00
	804	0	04	00
	805	0	08	00
	806	0	07	00
	807	0	02	00
	814	0	00	50
	812	0	03	00
	811	0	06	00
	848	0	02	00
	851	0	10	00
	877	0	04	00
	878	0	02	00
	879	0	02	00
	880	0	00	45
	881	0	06	00
	894	0	54	00
	900/2	0	10	00
	900/1	0	08	00
	899/3	0	07	00
	618	0	10	60
वाराणास पिपरी	886	0	01	00
	883	0	03	00
	869	0	14	00
	865	0	04	00
	857	0	51	00
	829	0	37	00
	830	0	27	00
	831	0	24	00
	834	0	33	00
मापारवाडी	57	0	10	00
	36	0	28	23
	40	0	23	92
	16	0	49	00
	13/2	0	25	00

(1)	(2)	(3)	(4)	(5)
सिन्नर	892/A/1/10	0	36	00
	908/A+B/1	0	30	80
	905(1185)	0	03	00
	918	0	13	00
	938/4	0	06	50
	939(1202)/1	0	04	00
पास्ते	558	0	02	40
	547	0	01	52
	546	0	22	43
	580	0	03	81
	452/1	0	14	55
	445	0	10	80
	413	0	13	20
	434	0	02	00
	433	0	12	00
	400	0	15	00
	387	0	18	78
	398	0	28	50
	395	0	23	40
	557	0	05	00
	559/3	0	09	00
	414	0	28	50
जामगांव	68	0	00	54
	71	0	02	66
	72	0	00	53
	83	0	27	26
	82	0	09	90
	81	0	01	15
	132	0	01	74
	135	0	09	79
	156	0	19	36
	158	0	02	45
	159	0	09	13
	162	0	06	15
	179	0	22	50
	180	0	42	00
	184	0	02	32
	195	0	07	00
	201	0	04	99
	199	0	19	20
	202	0	07	05
	206	0	01	00
	208	0	11	07
	226	0	28	20
	227	0	45	00
चंद्रपुर	104	0	16	36

(1)	(2)	(3)	(4)	(5)
घोरघड	115	0	20	47
	116	1	54	80
	110	0	00	36
	36	0	36	45
	37	0	00	83
	42	0	06	42
	22/3	0	23	55
	21	0	02	56
	18	0	03	03
	364	0	10	42
	366	0	06	90
	367	0	06	30
	368	0	06	60
	369	0	01	67
	370 A	0	10	80
	361	0	00	50
	378	0	25	50
	379	0	14	40
	358/B	0	05	47
	380	0	02	42
	358/A	0	01	70
	383	0	02	45
	384	0	09	91
	385	0	02	09
	386	0	01	20
	338	0	13	68
	388	0	01	72
	390	0	00	60
	392	0	04	65
	442	0	09	90
	443	0	05	28
	444	0	01	62
	450/2	0	01	65
	109	0	02	73
	106	0	15	30
	459	0	09	50
	449	0	01	12
पांजुली	204	0	07	20
	205	0	06	29
	208	0	13	00
	209	0	14	00
	212	0	04	25
	426	0	22	00
	432	0	13	00
	435	0	12	00
	438	0	02	00
	445	0	01	00
	444	0	14	30

(1)	(2)	(3)	(4)	(5)
	447	0	92	00
	450	0	32	17
	449	0	26	00
	448	0	07	50
	424	0	20	00
सायतामाली नगर	141	0	94	40
	154	0	51	72
	163	0	07	13
	161	0	31	66
	160	0	26	58
	159	0	04	16
	105	0	29	40
	104	0	19	00
बोरखिंड	126	0	17	00
	125	0	01	00
आगासखिंड	152/2	0	12	00
	152/4	0	05	00
	152/5	0	10	00
	152/8	0	33	00
	152/6	0	24	00
	152/9	0	59	00
	210	0	10	50
	293	0	10	00
	173	0	38	75
	172	0	23	00
	262	0	29	36
	261	0	11	42
बेलू	349	0	18	15
	375	0	06	75
	373	0	05	00
	372	0	11	30
	368	0	18	15
	371	0	69	00
	350	0	05	12
	348	0	07	80
तहसील - नांदगाव				
अनकवाडे	14/2/1	0	32	40

New Delhi, the 30th December, 1997

S.O. 28.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products from Refinery of Bharat Petroleum Corporation Limited, Mahul, Mumbai to Manmad in the State of Maharashtra, pipelines should be laid by the Bharat Petroleum Corporation Limited ;

And, whereas that for the purpose of laying such pipeline it is necessary to acquire the right of user in land described in the Schedule annexed to this notification;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962, (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may within twenty one days from date on which the copies of this notification as published in the Gazette of India are made available to the general public to object in writing to the acquisition of right of user therein for laying of the pipelines under the land to Shri T.K. Bagul, Competent Authority, Mumbai-Manmad Pipeline Project, Bharat Petroleum Corporation Ltd, 9-13, Vasant Market, Canada Corner, Nasik - 422 002 (Maharashtra).

schedule

District : Nasik.

State : Maharashtra.

Name of village	Survey/Gat Numbers	Area		
		Hectors	Ares	Sq.Mts
(1)	(2)	(3)	(4)	(5)
Tahsil: Niphad				
Maralgoi Khurd	106	0	11	00
	137/1	0	18	00
	145/2	0	45	00
	146	0	08	00
	164	0	75	00
	179	0	02	00
	183	0	01	50
	188/1	0	43	00
	107	0	19	00

(1)	(2)	(3)	(4)	(5)
	108/A	0	06	00
	109	0	19	00
	117/A/1	0	03	00
	163	0	56	00
Maralgoi Budruk	58	0	01	00
	67	0	06	00
	106/3	0	01	00
	94	0	30	00
	57	0	03	90
	97	0	14	00
	96/3	0	15	00
Golegaon	61/1	0	01	00
	49/2/1	0	06	00
	50/A/3	0	17	00
	43	0	09	00
	32/2	0	02	00
	31	0	06	00
	50/B	0	05	00
Dongargaon	77/B	0	02	00
	376/2	0	15	00
	394/2	0	04	00
	394/1	0	01	00
	77/A	0	12	00
	78/4	0	22	00
	78/5	0	07	00
	115	0	03	00
	337/2	0	02	00
	348	0	11	00
	351/2	0	07	00
	353/3	0	01	00
	382/1	0	04	00
	401/4	0	06	00
	401/1	0	07	00
	401/3	0	10	00
	402/2	0	05	00
	402/1	0	02	00
	403	0	16	00
	350/1	0	02	00
Nandgaon	296/3	0	11	00
	295/3	0	02	00
Dharangaon Veer	110	0	02	40
	39	0	02	90
	113/2	0	04	00
	111	0	12	00
	107/1	0	16	00

(1)	(2)	(3)	(4)	(5)
	106/1/A	0	03	00
	106/1/C	0	19	00
	106/2	0	09	00
Dharangaon Khadak	422	0	23	00
	457/1	0	15	00
	416	0	01	00
	412	0	05	00
	413	0	15	50
	441	0	09	00
	442	0	06	00
	165/1	0	26	40
	164	0	50	00
	163	0	00	50
	102	0	15	00
	113	0	10	55
	487/1	0	14	00
	122/2	0	14	00
	123/2	0	19	00
	127/A/2	0	04	50
	127/B/2	0	36	00
	421/B	0	01	00
	418	0	16	00
	166	0	18	00
	110	0	04	00
	118	0	15	00
	125	0	03	00
	5/2	0	04	00
Gajarwadi	419/1	0	21	00
	421/1	0	15	00
	422	0	01	00
	425	0	03	00
	426	0	11	00
Nandur Madhyameshwar	653	0	01	00
	80/1	0	27	00
	80/7	0	22	00
	646	0	02	00
	628/1	0	02	00
	631	0	08	00
	698	0	04	00
	502	0	01	00
	503	0	01	00
	500	0	10	00
	80/6	0	10	00
	143	0	09	00
	140	0	10	00
	484/1	0	03	00
	278	0	01	00
	277	0	05	00
	276	0	07	00

(1)	(2)	(3)	(4)	(5)
Khangaon Thadi	251	0	30	00
	254	0	87	00
	248	0	10	00
	247	0	13	00
	163/1	0	25	00
	163/2	0	02	00
	173	0	37	00
	220	0	27	00
	162	1	50	00
	253	0	04	00
	160	0	17	30
	221	0	35	00
Tarukhedle	389	0	05	30
	385	0	00	76
	306	0	08	00
Mhalsakore	451	0	04	00
	650/2	0	01	00
	592/2	0	09	00
	507	0	00	50
	485	0	16	00
	482	0	14	00
	449	0	07	00
	446	0	72	00
	139	0	26	00
	46	0	07	00
	44	0	01	00
	33	0	11	00
	168	0	05	00
	170	0	01	00
	179	0	05	00
	447	0	13	00
	109	0	04	50
	653	0	15	00
	650/1	0	24	00
	596	0	14	00
	580/1	0	25	00
	506	0	01	00
	504	0	06	00
	481	0	10	00
	448	0	58	00
Aurangpur	226	0	68	00
Mahajanpur	55/5	0	10	38
	55/4	0	25	00
	55/3	0	02	00
	99	0	72	00
	103	0	45	00
	92	0	23	00

(1)	(2)	(3)	(4)	(5)
	93	0	69	00
	109	0	03	00
	57	0	01	00
	59	0	25	00
	64	0	03	00
	65	0	01	00
	94/1	0	30	00
Tahsil : Sinnar				
Hiwargaon	76/2	0	00	41
	68	0	01	14
	65	0	00	84
	64	0	07	65
	63/3	0	06	75
	53	0	01	13
	34/6	0	05	32
	34/5	0	01	56
	34/8	0	25	87
	34/9	0	28	52
	34/10	0	12	82
Patpimpri	80	0	20	00
	79	0	22	00
	71	0	12	00
	72/8	0	32	00
	63/5	0	10	00
	39	0	05	00
	42	0	02	00
	44	0	04	00
	43	0	03	00
	606	0	07	00
	605	0	02	00
	602	0	27	00
	601	0	10	00
	600	0	09	00
	598/1	0	01	00
	833/2	0	16	00
	833/1	0	19	00
	28	0	04	00
	31/2	0	10	00
	34	0	02	00
	35	0	01	00
	37	0	02	00
	625/1	0	15	00
	626/1	0	02	00
	626/2	0	03	50
	623/2	0	06	00
	623/1	0	07	00
	628	0	03	00
	618	0	05	00
	573	0	04	00

(1)	(2)	(3)	(4)	(5)
	570	0	04	00
	571	0	08	10
	639	0	04	00
	661/4	0	12	00
	673/2	0	06	00
	731	0	23	00
	732/3	0	06	50
	732/4	0	06	50
	732/1	0	09	00
	730	0	02	00
	728	0	14	00
	723	0	16	00
	722	0	02	00
	712/3	0	03	00
	798	0	02	00
	802	0	00	50
	803	0	06	00
	804	0	04	00
	805	0	08	00
	806	0	07	00
	807	0	02	00
	814	0	00	50
	812	0	03	00
	811	0	06	00
	848	0	02	00
	851	0	10	00
	877	0	04	00
	878	0	02	00
	879	0	02	00
	880	0	00	45
	881	0	06	00
	894	0	54	00
	900/2	0	10	00
	900/1	0	08	00
	899/3	0	07	00
	618	0	10	60
Baragon Pimpri	886	0	01	00
	883	0	03	00
	869	0	14	00
	865	0	04	00
	857	0	51	00
	829	0	37	00
	830	0	27	00
	831	0	24	00
	834	0	33	00
Maparwadi	57	0	10	00
	36	0	28	23
	40	0	23	92
	16	0	49	00
	13/2	0	25	00

(1)	(2)	(3)	(4)	(5)
Sinnar	892/A/1/10	0	36	00
	908/A+B/1	0	30	80
	905(1185)	0	03	00
	918	0	13	00
	938/4	0	06	50
	939(1202)/1	0	04	00
Paste	558	0	02	40
	547	0	01	52
	546	0	22	43
	580	0	03	81
	452/1	0	14	55
	445	0	10	80
	413	0	13	20
	434	0	02	00
	433	0	12	00
	400	0	15	00
	387	0	18	78
	398	0	28	50
	395	0	23	40
	557	0	05	00
	559/3	0	09	00
	414	0	28	50
Jamgaon	68	0	00	54
	71	0	02	66
	72	0	00	53
	83	0	27	26
	82	0	09	90
	81	0	01	15
	132	0	01	74
	135	0	09	79
	156	0	19	36
	158	0	02	45
	159	0	09	13
	162	0	06	15
	179	0	22	50
	180	0	42	00
	184	0	02	32
	195	0	07	00
	201	0	04	99
	199	0	19	20
	202	0	07	05
	206	0	01	00
	208	0	11	07
	226	0	28	20
	227	0	45	00
Chandrapur	104	0	16	36

(1)	(2)	(3)	(4)	(5)
Ghorwad				
	115	0	20	47
	116	1	54	80
	110	0	00	36
	36	0	36	45
	37	0	00	83
	42	0	06	42
	22/3	0	23	55
	21	0	02	56
	18	0	03	03
	364	0	10	42
	366	0	06	90
	367	0	06	30
	368	0	06	60
	369	0	01	67
	370 A	0	10	80
	361	0	00	50
	378	0	25	50
	379	0	14	40
	358/B	0	05	47
	380	0	02	42
	358/A	0	01	70
	383	0	02	45
	384	0	09	91
	385	0	02	09
	386	0	01	20
	338	0	13	68
	388	0	01	72
	390	0	00	60
	392	0	04	65
	442	0	09	90
	443	0	05	28
	444	0	01	62
	450/2	0	01	65
	109	0	02	73
	106	0	15	30
	459	0	09	50
	449	0	01	12
Pandhurli				
	204	0	07	20
	205	0	06	29
	208	0	13	00
	209	0	14	00
	212	0	04	25
	426	0	22	00
	432	0	13	00
	435	0	12	00
	438	0	02	00
	445	0	01	00
	444	0	14	30
	447	0	92	00
	450	0	32	17

(1)	(2)	(3)	(4)	(5)
	449	0	26	00
	448	0	07	50
	424	0	20	00
Sawatamali Nagar	141	0	94	40
	154	0	51	72
	163	0	07	13
	161	0	31	66
	160	0	26	58
	159	0	04	16
	105	0	29	40
	104	0	19	00
Borkhind	126	0	17	00
	125	0	01	00
Agaskhind	152/2	0	12	00
	152/4	0	05	00
	152/5	0	10	00
	152/8	0	33	00
	152/6	0	24	00
	152/9	0	59	00
	210	0	10	50
	293	0	10	00
	173	0	38	75
	172	0	23	00
	262	0	29	36
	261	0	11	42
Belu	349	0	18	15
	375	0	06	75
	373	0	05	00
	372	0	11	30
	368	0	18	15
	371	0	69	00
	350	0	05	12
	348	0	07	80
Tahsil Nandgaon				
Anakwade	14/2/1	0	32	40

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

का.आ. 29.—भारत के निम्नलिखित राजपत्र दिनांक के भाग-II खण्ड 3 उपखण्ड (ii) में पेट्रोलियम और प्राकृतिक गैस संलग्नित भारत सरकार के निम्नलिखित कां.आ. संख्या/दिनांक में पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम सिंगवसा, तहसील गुना, जिला गुना के संबंध में थी को निम्नानुसार पढ़ा जाये।

राजपत्र/दिनांक	कां.आ. /दिनांक	राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जाये	
		क्र०	सर्वे सं०	क्षेत्रफल हे० में	सर्वे सं०	क्षेत्रफल हे० में
04-11-95	2900/20-10-95	2	392	0.5940	392	0.4500
			—	—	393	0.1350
		3	398/2	0.7632	398/2	0.0780
			—	—	398/3	0.3880
		6	238	0.0189	238	0.3020
		8	234/1/2	0.1701	234/1/2	0.2700
		9	234/2	0.0567	—	—
27-01-96	255/15-01-96	1	66/2	0.2700	66/2	0.3740
			66/3	0.3467	66/3	0.2600
24-02-96	533/09-02-96	7	401/1/2	0.0028	—	—
			401/2	0.1700	401/2	0.2326
		11	403/1	0.0600	—	—
			403/2	0.0372	—	—

[संख्या एल-14016/8/95 जी०पी०]

आई०एस०एन० प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. 29.—Notification in the Gazette of India Ministry of Petroleum and Natural Gas S.O. No./Date mentioned below in column no. 1 published on date mentioned below in column no. 2 under sub section (1) of section 6 of the petroleum and Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Singwasa, Tehsil Guna, District Guna be read as follows :—

S.O.No./Date	Date of Gazette	As per Gazette			Be read as corrected Below	
		S.No.	Survey No.	Area in Hect.	Survey No.	Area in Hect.
1	2		3		4	
2900/20-10-95	04-11-95	2	392	0.5940	392	0.4500
			—	—	393	0.1350
		3	398/2	0.7632	398/2	0.0780
			—	—	398/3	0.3880
		6	238	0.0189	238	0.3020
		8	234/1/2	0.1701	234/1/2	0.2700
		9	234/2	0.0567	—	—
255/15-01-96	27-01-96	1	66/2	0.2700	66/2	0.3740
			66/3	0.3467	66/3	0.2600
533/09-02-96	24-02-96	7	401/1/2	0.0028	—	—
			401/2	0.1700	401/2	0.2326
		11	403/1	0.0600	—	—
			403/2	0.0372	—	—

[No. L-14016/8/95 G.P.]

I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

का.ग्रा. 30.—भारत के राजपत्र दिनांक 13-06-95 के भाग-II खंड-3 उपखण्ड-(ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के का.ग्रा. संख्या 518(अ) दिनांक 02-06-95 से पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 को उप-धारा (1) के अन्तर्गत प्रकाशित अधिसूचना जो कि ग्राम बूड़ाडोंगर, तहसील कोलारस, जिला शिवपुरी के संबंध में थी, को निम्नानुसार पढ़ा जाये।

राजपत्र के अनुसार		निम्न संशोधन के अनुसार पढ़ा जाये	
क्र.	सर्वे संख्या	क्षेत्रफल हे. में	सर्वे संख्या
50	46	0.4300	46
51	47	0.0250	47

[संख्या एल-14016/8/95 जी.पी.]

आई.एम.एन. प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. 30.—In the Gazette of India Ministry of Petroleum and Natural Gas S.O.No. 518 (E) dated 2-6-95 published on 13-06-95 under sub section (i) of section 6 of the Petroleum and Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Budadonger, Tehsil Kolaras, District Shivpuri be read as follows:

As per Gazette			Be read as Corrected be ow	
Sr. No.	Survey No.	Area in Hectare	Survey No.	Area in Hectare
50.	46	0.4300	46	0.0250
51.	47	0.0250	47	0.4300

[No. L-14016/8/95 G.P.]

I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

का.ग्रा. 31.—भारत के निम्नलिखित राजपत्र दिनांक के भाग-II, खण्ड 3 उपखण्ड-(ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के निम्नलिखित का.ग्रा. संख्या/दिनांक से पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अन्तर्गत प्रकाशित अधिसूचना जो कि ग्राम सिवावटी, तहसील गुना, जिला गुना के संबंध में थी, को निम्नानुसार पढ़ा जाये।

राजपत्र दिनांक	का.ग्रा.सं./दिनांक	राजपत्र के अनुसार		निम्न संशोधन के अनुसार पढ़ा जाय	
		क्र.	सर्वे सं.	क्षेत्र हे. में	क्षेत्र हे. में
27-01-96	253/15-01-96	5	205/2	0.2400	205/2
			205/4	0.1592	205/4
		9	225/2	0.1050	—
		11	226/1	0.0370	226/1
			226/2	0.2800	226/2
		13	200/4	0.0487	200/4
09-03-95	143(अ)/02-03-95	3	206	0.0330	206
		6	221	0.1050	—
		7	203	0.0297	203
		8	222	0.5425	—
		10	224	0.1980	224

[संख्या एल-14016/8/95 जी.पी.]

आई.एस.एन. प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. No. 31.—notification in the Gazette of India Ministry of Petroleum and Natural Gas S.O.No./Date mentioned below in column No. 1 published on date mentioned to below in column no. 2 under sub section (i) of section 6 of the Petroleum and Mineral pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Silavati, Tehsil Guna, District Guna be read as follows:—

S.O.No./Date	Date of Gazette	As per Gazette			Be read as corrected below	
		Sr. No.	Survey No.	Area in Hectare	Survey No.	Area in Hectare
253/15-01-96	27-01-96	5	205/2	0.2800	205/2	0.2700
			205/4	0.1592	205/4	0.2092
		9	225/2	0.1050	—	—
		11	226/1	0.0370	226/1	0.1670
			226/2	0.2800	226/2	0.0200
143(E)/02-03-95	09-03-95	13	200/4	0.0487	200/4	0.1287
		3	206	0.0330	206	0.0530
		6	221	0.1059	—	—
		7	203	0.0297	203	0.3797
		8	222	0.5425	—	—
		10	224	0.1980	224	0.5505

[No. L-14016/8/95 G.P.]

I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

का०प्रा० 32 :—भारत के राजपत्र दिनांक 28-03-95 के भाग-II खण्ड-3 उपखण्ड-(ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के का०प्रा० संख्या 260(अ) दिनांक 24-03-95 से पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम बिन्हेराखुर्द, तहसील पोहरी, जिला शिवपुरी के संबंध में थी, को निम्नानुसार पढ़ा जाये :—

राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जाये		
क्र०	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	
02.	506	0.0360	506	0.0600	
15.	658	0.0470	658	0.1260	
16.	657	0.0750	657	0.0850	
18.	655	0.0832	655	0.3150	
20.	654	0.1140	654	0.1635	
23.	609	0.0180	609	0.0250	
24.	608	0.1140	608	0.0460	
26.	604	0.2410	604	0.0800	
28.	598	0.1795	598	0.0050	
29.	597	0.1685	597	0.1700	
30.	626	0.0180	626	0.0200	

[संख्या एल-14016/8/95 जी०पी०]

आई०एस०एन० प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. 32.—in the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 260(E) dated 24-03-95 published on 28-03-95 under sub section (i) of section 6 of the Petroleum & Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of village Binherakhurd, Tehsil Pohari, District Shivpuri be read as follows :—

As per Gazette			Be read as corrected below	
Sr.No	Survey No.	Area in Hectare	Survey No.	Area in Hectare
02.	506	0.0360	506	0.0600
15.	658	0.0470	658	0.1260
16.	657	0.0750	657	0.0850
18.	655	0.0832	655	0.3150
20.	654	0.1140	654	0.1635
23.	609	0.0180	609	0.0250
24.	608	0.1140	608	0.0460
26.	604	0.2410	604	0.0800
28.	598	0.1795	598	0.0050
29.	597	0.1685	597	0.1700
30.	626	0.0180	626	0.0200

[No. L-14016/8/95 G.P.]

I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

कां.प्रा. 33 :—भारत के राजपत्र दिनांक 06-07-96 के भाग-II खण्ड-3 उपखण्ड-(ii) में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के कां.प्रा. सं. 1968 दिनांक 14-06-96 में पेट्रोलियम और खनिज पार्श्व लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम भुरखली, तहसील बौलारम, जिला मुरना के संबंध में थी को निम्नानुसार पढ़ा जाये :—

राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जाये	
क्र०	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	सर्वे संख्या	क्षेत्रफल हेक्टेयर में
14.	23/3/1	0.1530	23/3/2	0.1330
	—	—	23/2	0.0200

[संख्या एल-14016/8/95 जी०पी०]

आई०एस०एन० प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. 33.—in the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 1968 dated 14-06-96 published on 06-07-96 under sub section (a) of section 6 of the Petroleum and Mineral Pipeline (Acquisition of

Right of Users in the Land) Act, 1962 (50 of 1962) in respect of Village Bhurawali, Tehsil Kailaras, District Morena be read as follows:—

As per Gazette			Be read as corrected below	
Sl. No.	Survey No.	Area in Hectare	Survey No.	Areas in Hectare
14.	23/3/1	0.1530	23/3/2	0.1330
	—	—	23/2	0.0200

[No. L-14016/8/95 G.P.]
I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

कां०अ० 34:—भारत के राजपत्र दिनांक 30-03-96 के भाग-II, खण्ड-3, उपखण्ड-ii में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के कां०अ० संख्या 995, दिनांक 18-03-96 में पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम नेपरी, तहसील कैलारस, जिला मुरैना के संबंध में थी, को निम्नानुसार पढ़ा जाए:

राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जावे		
क्र०	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	सर्वे संख्या	क्षेत्रफल हेक्टेयर में	
29.	426/1	0.0092	416	0.1500	
31.	417/1	0.1317	417/1	0.1680	
	417/2	0.0200	417/2	0.0225	
32.	423/1	0.0190	—	—	
33.	420/1	0.0180	—	—	
	420/2	0.0187	—	—	
34.	419/2	0.1631	419/2	0.0759	
35.	418/1	0.0200	418/1	0.0630	
	418/2	0.0319	418/2	0.0930	

[संख्या एल-14016/8/95 जी.पी.]

आई०एस०एन० प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. No. 34:—In the Gazette of India Ministry of Petroleum and Natural Gas S.O. No. 995 dated 18-3-96 published on 30-3-96 under sub-section (1) of section 6 of the Petroleum and Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of Village Naipri, Tehsil Kailaras, District Morena (M.P.) be read as follows:—

As per Gazette			Be read as corrected below	
Sr. No.	Survey No.	Area in Hectare	Survey No.	Area in hectare
29.	426/1	0.0092	416	0.1500
31.	417/1	0.1317	417/1	0.1680
	417/2	0.0200	417/2	0.0225
32.	423/1	0.0190	—	—
33.	420/1	0.0180	—	—
	420/2	0.0187	—	—
34.	419/2	0.1631	419/2	0.0759
35.	418/1	0.0200	418/1	0.0630
	418/2	0.0319	418/2	0.0930

[No. L-14016/8/95 G.P.]
I.S.N. PRASAD, Dy. Secy.

संशोधन

नई दिल्ली, 19 दिसम्बर, 1997

का०आ० 35:—भारत के निम्नलिखित राजपत्र दिनांक के भाग-II, खण्ड-3, उपखण्ड-ii में पेट्रोलियम और प्राकृतिक गैस मंत्रालय, भारत सरकार के निम्नलिखित का०आ० संख्या/दिनांक से पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के अंतर्गत प्रकाशित अधिसूचना जो कि ग्राम ब्रिजगढ़ी, सहस्रीय जौरा, जिला मुरैना के संबंध में थी, को निम्नानुसार पढ़ा जाए।

राजपत्र दिनांक	का०आ० सं०/दिनांक	राजपत्र के अनुसार			निम्न संशोधन के अनुसार पढ़ा जाए	
		क्र०	सर्वे सं०	क्षेत्र. हे. में	सर्वे संख्या	क्षेत्र. हे. में
30-03-96	982/18-03-96	46	260/1	0.0710	260/1	0.2200
		47	694/2	0.6538	—	—
		50	692/1	0.2295	692/1	0.3800
21-04-95	371(अ)/19-04-95		692/2	0.6300	692/2	0.5295
		45	261	0.2725	261/1	0.0600
		—	—	—	261/2	
		48	695	0.4450	695	1.1300
		49	693	0.9447	693	1.0600
		51	700	0.4104	700	0.4539
		54	710	0.8475	710	1.0300
		55	709	0.4725	709	0.1600
		56	714	0.3765	714	0.3300

[संख्या एल-14016/8/95 जी०पी०]

आई०एन०एस०एन० प्रसाद, उप सचिव

CORRIGENDUM

New Delhi, the 19th December, 1997

S.O. 35:—Notification in the Gazette of India Ministry of Petroleum and Natural Gas S.O.No./Date mentioned below in column No. 1 published on date mentioned below in column No. 2 under sub-section (1) of section 6 of the Petroleum and Mineral Pipeline (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) in respect of Village Brijarahi, Tehsil Jaura, District Morena be read as follows:

S.O. No./Date	Date of Gazette	As per Gazette			Be read as corrected below	
		S.No.	Survey No.	Area in Hectare	Survey No.	Area in Hectare
1	2		3		4	
982/18-03-96	30-03-96	46	260/1	0.0710	260/1	0.2200
		47	694/2	0.6538	—	—
		50	692/1	0.2295	692/1	0.3800
371(E)/19-04-95	21-04-95	—	692/2	0.6300	692/2	0.5295
		45	261	0.2725	261/1	0.0600
		—	—	—	261/2	
		48	695	0.4450	695	1.1300
		49	693	0.9447	693	1.0600
		51	700	0.4104	700	0.4539
		54	710	0.8475	710	1.0300
		55	709	0.4725	709	0.1600
		56	714	0.3765	714	0.3300

[No. L-14016/8/95 G.P.]

I.S.N. PRASAD, Dy. Secy.

नई दिल्ली, 22 दिसम्बर, 1997

का०आ० संख्या 36 :—चूँकि केन्द्रीय सरकार को यह प्रतीत होता है कि जनहित में यह आवश्यक है कि बिस्मी एल्कालीज से किरण सिलिकेट तमिलनाडु तक पेट्रोलियम और प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अथॉरिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए।

और चूँकि यह प्रतीत होता है कि ऐसी लाइन को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित करती है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, नागापट्टिनम को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनबाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बिस्मी एल्कालीज से किरण सिलिकेट नरीमानम गैस पाइप लाइन प्रोजेक्ट

राज्य	ज़िला	तालुक	ग्राम संख्या तथा नाम	सर्वे नं०	क्षेत्रफल		टिप्पणी
					हेक्टे० में	एकड़ सैन्ट में	
तमिलनाडु	नागापट्टिनम	नागापट्टिनम	122, नरीमानम	124.4	0.00.5	0.01	
				125.2	0.06.0	0.15	
				125.5	0.08.0	0.19	
				126.3	0.06.0	0.15	
				126.6	0.03.0	0.09	
				126.12	0.06.0	0.15	
				118.6	0.14.5	0.36	
				120	0.16.5	0.39	

[सं० एल-14016/03/97-जी०पी०]

आई०एस०एन० प्रसाद, उप सचिव

New Delhi, the 22nd December, 1997

S.O. 36 :—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum and Natural Gas from Bismi Alkalies to Kiran Silicate in Tamil Nadu State pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Nagapattinam

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Bismi Alkalies to Kiran Silicate Narimaram Gas Pipeline Project

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					in hectares	in acre cent	
Tamil Nadu	Negapattinam	Negapattinam	122 Narimanam	124.4	0.00.5	0.01	
				125.2	0.06.0	0.15	
				125.5	0.08.0	0.19	
				126.3	0.06.0	0.15	
				126.6	0.03.0	0.08	
				126.12	0.06.0	0.15	
				118.6	0.14.5	0.36	
				120	0.16.5	0.39	

[No. L-14016/03/97-GP]
I.S.N. PRASAD, Dy. Secy.

श्रम मंत्रालय

नई दिल्ली, 4 दिसम्बर, 1997

का.आ. 37:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्ड माईन्स लि. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बेंगलूर, के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-11-1997 को प्राप्त हुआ था।

[संख्या एन-43012/17/89-आईआर (त्रिविध)
बी.एम. डेविड, डेस्क अधिकारी]

MINISTRY OF LABOUR

New Delhi, the 4th December, 1997

S.O. 37.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd. and their workman, which was received by the Central Government on 28-11-1997.

[No. L-43012/17/89-IR(Misc.)]
B. M. DAVID; Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM LABOUR
COURT, BANGALORE

PRESENT :

Sri K. Mohanachandran, B.Sc., B.L., D.L., A.L.
Presiding Officer.

Central Reference No. 90/89

I Party

Sri Thereshraj
82, Addl. Mission
Block Model House
Marikuppam, K. G. F. 563119
(Represented by
Sri V. Gopala Gowda, Advocate)

Vs.

II PARTY

M/s. Bharat Gold Mines Ltd.
Oorgaum P.O.
Kolar Gold Fields
563120
(Represented by
Sri T.R. Rajaram, Advocate)

AWARD

In this reference made by the Honourable Central Government by its order No. L-43012/17/89-IR (Misc.) dated 7-12-1989 as per schedule to reference is :—

“Whether the management of BGML, KGF is justified in retiring Sri Thereshrai, Foreman on superannuation with effect from 1-4-1989. If not, to what relief he entitled?”

(2) The brief averments of the 1st party in claim statement are as follows :—

The 1st party joined the services of 2nd party on 1-5-1946 as Office boy and at the time of his illegal retirement he was working as Foreman in the Mechanical Workshop. The 1st party was born on 20-3-1930 as per certificate of Baptism (Ex. W2) issued by ‘Our Lady of Victoria Church’ to which he belongs. At the time of joining the service of the 2nd party the date of birth of the 1st party was taken as 20-3-1929 (viz) one year less than his actual age which fact was not known to the 1st party until he was issued with a notice of superannuation dated 20-9-1988 (Ex. W1) asking him to retire w.e.f. 1-4-1989, as he had attained the age of 60 years as on 20-3-1989 which is the age of superannuation.

(3) But the 1st party personally and through Association had contended that the decision of the 2nd party to retire him w.e.f. 1-4-1989 is arbitrary and unjustified, as he had one more year to go to reach the age of superannuation. Also the 1st party is entitled to continue his services till 20-3-1990 taking into consideration of his actual date of birth (i.e.) 20-3-1930. Hence the 1st party had made both oral and written requests to the 2nd party to correct his date of birth and to continue him in the services till 20-3-1990. But the 2nd party did not consider the 1st party requests.

(4) The age of superannuation arrived by the 2nd party on the basis of wrong entry of date of birth is arbitrary and illegal and the action of the 2nd party to retire the 1st party prematurely w.e.f. 1-4-89 is illegal, arbitrary and without application of mind which attracts unfair labour practice and victimisation. Further the premature retirement (i.e.) retirement before reaching the age of superannuation is a retrenchment as defined under Section 2(oo) of the I.D. Act. The 1st party also had out in continuous services of more than 240 days as defined under Section 25B of the I.D. Act. The 2nd party did not comply with the provisions of Section 25F Clauses (a) & (b) of the I.D. Act. It is therefore, prayed that the action of the 2nd party in retiring the 1st party w.e.f. 1-4-1989 is not justified and accordingly the 2nd party has to reinstate the 1st party with all the consequential benefits.

(5) The concised averments of the 2nd party in their written statement are as follows:

The 1st party at the time of retirement was working as Foreman and his alleged illegal superannuation is hereby denied. The 1st party born on 20-3-1930 is a false allegation. The 1st party had declared his

date of birth as 20-3-1929 at the time of joining the 2nd party and no clerical error has been crept in his service card and also the dates in certificate obtained by the 1st party has no relevance so far as his retirement age is concerned. The 1st party is not entitled to continue his service till 20-3-1990. The allegations of the 1st party that the age of superannuation has been arrived at based on wrong entries in the service card are baseless. Because the 1st party was given an opportunity during 1963 and 1964 by publishing a notification to get the date of birth corrected, if there is any wrong entry in the service card, the 1st party should have corrected the same. But the 1st party failed to do so. Hence, the prayer of the 1st party has to be rejected.

(6) My learned predecessor, as we could see in the order sheet dated 22-8-1990, had ordered that issue to be decided in this case was covered by the Schedule to the reference. Accordingly the management had examined one witness to discharge their initial burden in accordance with the schedule to the reference. In other words the schedule to the reference directs the management 2nd party to initially prove as to whether they had justified in retiring the 1st party on alleged superannuation w.e.f. 1-4-1989. To discharge the said initial burden the only witness examined on the side of the management namely the Personal Manager as MW1 had admitted in cross examination (in page 3 of his deposition) that except the P.F. nomination Ex. M3 and service cards (Exs. M1 & M2) maintained for the 1st party there were no other document to show that the 1st party himself gave particulars of his date of birth as 20-3-1929. The above said service card of the 1st party was marked as Ex. M1 and xerox copy of the P.F. Nominations is Ex. M3. In the Ex. M1, the date of the birth of the 1st party has been specified as 20-3-1929. But the 2nd party had tried to rely on the admitted signature of the 1st party Ex. M1(a) to show that the particulars given in the said service card Ex. M1 including the date of birth viz. 20-3-1929 were given by the 1st party himself.

(7) But the 1st party had pleaded and deposed in his evidence that he had not given any particulars pertaining to Ex. M1 and he did not know who had written the particulars in Ex. M1. The MW1 namely the Personal Officer who is only witness to prove the case of the management had admitted that he was not the author of the entries made in Ex. M1. In such circumstances, I hold, since it is clear from the evidence placed that the 2nd party management had not discharged their initial burden to prove the entry regarding the date of the birth of the 1st party in accordance with law.

(8) That apart, their own document namely the xerox copy of P.F. nomination (i.e.) Ex. M3 contain alleged Tamil signature of the 1st party. But the MW1 himself admitted in his cross examination that the 1st party used to sign his signature in Tamil language. If that be the admitted fact, it is left unexplained by the management as to how the signature in English (i.e.) Ex. M1(a) could be the signature of the 1st party to show his admission regarding his date of birth as entered in Ex. M1. Of course it is true that the 1st party in his cross examination admitted Ex. M1

(a) as his signature. But that admission in the cross examination that too by a illiterate person as admitted by MW1, cannot be accepted a valid piece of evidence to prove the date of birth of the 1st party as specified in Ex. M1 namely 20-3-1929. Therefore, neither the entry made in Ex. M3 nor in Ex. M1 regarding the date of birth of the 1st party had been proved by the Management sufficiently and in accordance with law.

(9) Further, the evidence of the only witness of management namely the Personal Officer would show that the 1st party joined the 2nd party company on 1-5-1946. Whereas even the documents filed by the management namely Ex. M3 was prepared on 13-12-62. The another document relied on by the management namely Ex. M1 contains the first entry in the year 1969. Therefore, there is no proper and relevant document to show to accept the case of the management that the 1st party while he was joining in the 2nd party had given oral particulars regarding his date of birth as 20-3-1929 and only on such particulars the management had recorded the date of birth of 1st party as 20-3-1929. Even the MW1 was not in a position to say when the 1st party had given such oral representation specifying the above said alleged date of birth.

(10) Again MW1 had also marked an old service card of the 1st party as Ex. M2. But unfortunately the name of the 1st party could not be seen in Ex. M2 as the specified name portion had been torn off. That apart there is no evidence to show when the date of birth specified in Ex. M2 as 20-3-1929 was entered. As pointed out by the learned counsel for the 1st party though Ex. M2 contains some corrections in the column of "age", the MW1 had not explained about the said corrections. Hence, the 2nd party could not even rely on Ex. M2 to prove that the entry regarding the date of birth of the 1st party could be only 20-3-1929, as entered in Exs. M1, 2 and 3 and since that particulars could be based on the particulars given by the 1st party.

(11) Further, the Management had admitted both in their pleadings and in evidence (MW1) that they had made the 1st party retired on his alleged age of 60 based on his date of birth as 20-3-1929 as per the records available with Management. But as I detailed above, the 2nd party had miserably failed to discharge their initial burden namely their action by making the 1st party to retire on 1-4-1989 by issuing notice Ex. W1 on his alleged superannuation age of 60 based on his date of birth as 20-3-1929.

(12) On the other hand it is a case of 1st party that his correct date of birth could be only 20-3-1930. He further pleaded and deposed that while he had joined the service of the 2nd party he had produced a Baptism certificate to show his date of birth as 20-3-1930 and without his knowledge the 2nd party had wrongly entered his date of birth as 20-3-1929. To substantiate the above said case of the 1st party he again filed and marked a Baptism certificate Ex. W2, which contain the date of birth of one Thresanathan S/o Perivanavaram as 20-3-1930. Though the 1st party as WW1 has admitted that the Baptism Certificate Ex. W2 was contained in the year 1987

for the purpose of school admission of his son. But does not mean that the said Baptism Certificate Ex. W2 was obtained and produced by the 1st party for the very first time. Because he already pleaded and evidenced that he produced his Baptism certificate while he joined in the service. If that be case, it is for the 2nd party to prove positively about the particulars of the records filed by the 1st party at his joining in the 2nd party, since those records must be only in the custody of the 2nd party. But unfortunately for the management, neither the evidence of the MW1 nor the documents filed by the 2nd party would show that the 2nd party are in a position to mark the entire and relevant records in connection with the 1st party in this case.

(13) Further, regarding the Baptism certificate Ex. W2 the 2nd party had not raised any objection nor put any sort of question to WW1 in his cross examination, about the contents of Ex. W2 except one mere suggestion namely Ex. W2 is got ups (at para 5 of his deposition). Therefore, in such circumstances, I am of the opinion that the 1st party had taken maximum efforts to prove his correct date of birth as 20-3-1930. Of course it is true that the WW1 had admitted in his cross examination that he came to know the wrong entry regarding his date of birth only when he was served relevant notice Ex. W1 and that then only he had taken steps to place his correct date of birth to the 2nd party.

(14) At this juncture the learned counsel for the 2nd party had argued based on the admission made by the 1st party as WW1 in his cross examination that at para 3 of his deposition :

"I did not give any representation for correction of my date of birth in pursuance of notifications in 1963 and 1964 because I was under the impression that my date of birth has been entered correctly as 20-3-1930. When I got Ex. W1 only then I came to know that my date of birth was entered wrongly".

He further admitted that at para 5 of his deposition that :

"There were notification in 1963 and 1964 to get date of birth corrected I did not give any representation in 1963 or in 1964".

(15) But unfortunately apart from the above said admission regarding the alleged notifications issued by the 2nd party particularly regarding opportunity given to the employees to make representation to the Management for correction of their date of birth, there is no iota of records to show the actual wording of the said notifications particularly when MW1 had specifically stated at para 6 of his deposition that :

"Along with the 2 notifications referred to my may be the dates of birth of the employees were brought to their notice".

(16) Therefore, in such circumstances when MW1 specifically deposed that employees were given opportunity under the notifications issued during 1963 and 1964 to correct their date of birth it is the bounden

duty of the 2nd party to place and prove such a relevant and important documents to substantiate the abovesaid oral evidence of MW1. But as I discussed above, on their failure either to produce such a very relevant document or to place any explanation towards their failure adverse inference can be drawn under law against the 2nd party but in favour of the 1st party.

(17) Hence, in such circumstances with respect I am of the opinion that the three authorities placed by the learned counsel for the 2nd party namely (1) AIR 1994 SCW, page 3947 (State of Tamilnadu v. T. V. Venugopalan), (2) ILR 1992, Karnataka Page 554 (R. Kuppuraj v. BGML) and (3) AIR 1988 Supreme Court Page 1796 (Birad Mal Singvi v. Anand Prohit) are not applicable to the facts of the case in our hands now. Because the case reported in AIR 1994 SCW, page 3947 is a case of a Government servant for his prayer for correction of his date of birth made exactly one year before to his superannuation and accordingly our Honourable Supreme Court had held that correction of date of birth sought by an employee at the end of service was contrary to the Government rules and thus not permissible. Hence, it is clear that the facts of the present case will be no way connected with the facts of the said case.

(18) Further, the Honourable High Court of Karnataka in the said 2nd cited case had given the following verdict under Sections 36 and 37 of the Specific Reliefs Act and Order 39, Rules 1 and 2 of C.P.C. ;

“There are no compelling reasons to grant any injunctive relief since the conduct of the plaintiff in accepting the recorded date of birth for more than 3 decades gives a light to his present claim of change in the date of birth.”

In the present case, it is needless to say that the management had not proved that the 1st party had known the date of birth as entered in the records of the 2nd party either prior to the issuance of notice of retirement Ex. W2 or at the time of issuance of notifications in the year 1963 and 1964. Therefore, with respect I am of the opinion that the 2nd party cannot seek any support of the above reported decision of the Hon'ble High Court of Karnataka.

(19) Likewise, even the third cited decision of the 2nd party reported in AIR 1988 Supreme Court, page 1796 the facts of the case is based on representation of the Peoples Act on an election petition. There our Hon'ble Apex Court had given a verdict stating even the school record regarding the entry of the date of birth must be proved specifically and only through a proper and relevant person. Therefore, as I detailed above when the reference to the schedule in this case had clearly fixed the initial burden on the 2nd party to prove the entry regarding the date of birth of the 1st party but when the 2nd party had miserably failed to discharge their even initial burden, I am of the opinion that they cannot seek support of the abovesaid decision of our Hon'ble Supreme Court which based on entirely different facts.

(20) Therefore, on the evidence and materials placed I am of the opinion the management of B.G.M.L. KGF, 2nd party is not justified in retiring Sri Theresaraj, the 1st party Foreman on superannuation w.e.f. 1-4-1989.

(21) Even the pleading and evidence of the 1st party would show that he seeks the relief of retirement on his age of 60, on his correct date of birth (i.e.) 1-4-1929. But the management made him to retire in his age of 59. According to the 1st party his superannuation age of 60 could be only with effect from 20-3-1990. Therefore, I am of the opinion that there need not be any direction to the 2nd party to reinstate the 1st party as on to-day. But anyhow I hold that the 1st party is entitled for entire monetary benefits till his real age of superannuation w.e.f. 20-3-1990 as if he could not retired with effect from 1-4-1989 and as per the then service condition and in accordance with the relevant rules prevailing from 1-4-1989 to 20-3-1990.

(22) Further, though the 1st party had not given any particulars about his last drawn payment as on 1-4-1989 I hold that it is for the 2nd party, since the relevant records for calculation of entire consequential monetary benefits from 1-4-1989 to 20-3-1990 could be only available with the 2nd party, to calculate the full and entire monetary benefits including pay and allowances etc. to be paid to the 1st party till his actual superannuation age of 60 w.e.f. 20-3-1990.

AWARD

(23) In the result the award is passed to the effect that the management of B.G.M.L. KGF is not justified in retiring 1st party Sri Theresaraj, Foreman on superannuation with effect from 1-4-1989 and the retirement order dated 20-9-1988 is hereby set aside. But anyhow, since the 1st party Sri Theresaraj had already attained his age of superannuation on 20-3-90, there need not be any direction to the 2nd party for reinstatement of 1st party Sri Theresaraj. But the 2nd party is directed to pay the entire and full monetary benefits admissible and payable to the 1st party Sri Theresaraj from the period 1-4-1989 to 20-3-90 as per the then service conditions and in accordance with rules then prevailing in the company together with cost of Rs. 500 payable to the 1st party, considering the entire proceedings from the date of entertaining of these proceedings till the date of passing of this award. Submit to Government.

(24) (Dictated to P.A. transcribed by him, corrected and signed by me on 24th day of November, 1997).

K. MOHANACHANDRAN, Presiding Officer.

नई दिल्ली, 4 दिसम्बर, 1997

का.प्र. 38—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोलुड मार्टिन्स के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बेंगलूर के पक्षों को प्रकाशित करती

है, जो केन्द्रीय सरकार को 1-12-1997 को प्राप्त हुआ था।

[संख्या एल-43012/12/89-आर्द्धघर (बिबिध)]
बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 4th December, 1997

S/O. 38.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharath Gold Mines Ltd. and their workman, which was received by the Central Government on 1-12-1997.

[No. L-43012/12/89-IR(Misc)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, BANGALORE

Dated Tuesday the 25th day of November, 1997

PRESENT :

Sri K. Mohanachandran, B.Sc., B.L., D.L.A.L.,
Presiding Officer

Central Reference No. 77/89

I Party

Sri K. R. Kannabiran,

No. 65, NT Block,

Post Office Lane, Vs.

Oorgaum P.O. KGF-563120

(Represented by Sri K.

Subba Rao, Advocate)

II Party

Managing Director

M/s. Bharath Gold Mines

Ltd., Oorgaum P.O.

K.G.F. 56312.

(Represented by Sri T. Rajaram,

Advocate)

AWARD

In this reference made by the Honourable Central Government by its order No. L-43012/12/89(Misc) dated 6-11-89, under Section 10(2A)(1)(d) of I.D. Act the point for adjudication as per schedule to reference is :—

“Whether the action of the management of Bharath Gold Mines Limited, KGF in dismissing Sri. Kannabiran, Mining Mate,

T. No. 2674 from service with effect from 25-1-1988, is justified. If not, what relief is Sri. Kannabiran entitled to ?”

(2) The concise averments of the 1st party in his claim statement are as follows :

The 1st party joined the services of 2nd party during 1955 as a Mate in Nundydroog Mine, the sister concern of M/s. Bharath Gold Mines Limited and he was illegally dismissed by the 2nd party on 25-1-88, on the basis of an enquiry conducted by the 2nd party in respect of the show-cause notice dated 5-8-1987. Though the 1st party submitted his reply, the 2nd party without considering the said reply, had conducted an enquiry in order to dismiss the 1st party from service. Accordingly, he was dismissed from service on the basis of enquiry held against him which was purely stage-managed. The enquiry held against the 1st party was not in accordance with the rules and principles of natural justice.

(3) As per the standing orders which are applicable to the 2nd party the General Manager who is the competent authority/disciplinary authority, should impose the punishment and also issue a show-cause notice to the 1st party. But in this case both show-cause notice as well as dismissal order were issued by the Manager of the 2nd party. Hence, the show-cause notice and the order of dismissal issued were without the jurisdiction of law.

(4) The findings of the Enquiry Officer are totally perverse and thus, cannot be relied upon. The Disciplinary Authority also without going through the records but relying on the perverse findings of the Enquiry Officer had passed an impugned order of dismissal. Therefore, the punishment imposed to the 1st party is totally disproportionate. The punishment is also a harsh and excessive and it smacks victimisation. Hence, the order of dismissal passed is illegal, arbitrary, unjust and the same cannot be sustained. Therefore, the 1st party prays that the 2nd party has to reinstate him in the original post with all the consequential benefits.

(5) The brief contention of the 2nd party in their written statement are as follows :

The 1st party joined the services of 2nd party in the year 1955 and he was issued with a charge-sheet dated 27-5-1987 for negligence in his work during 1st shift at 6200/6300 N13 WINSE West Reef of DE Section Nandydroog Mine at about 11.00 A.M. while late Sri Muthu, T. No. 740 was cutting a ladder joint by standing on a wooden sollar. But the timber supporting the sollar gave way and the sling rope used by him snapped, resulting his fall from a height by about 65 feet which proved fatal.

(6) The abovesaid fatal accident had happened due to the 1st party's negligence of duty for not preventing the employees from standing on a damaged sollar while attempting to cut the ladder joint and also for not taking precaution in the use of sling rope which was unusually long with slackness which caused the snapping of the rope when the sollar collapsed resulting fatal accident of late Muthu, T. No. 740.

(7) Since the explanation submitted by the 1st party to the show-cause notice was not satisfactory, the Disciplinary Authority ordered for an enquiry and the Disciplinary Authority after going through the findings and the other connected papers with regard to the enquiry had agreed with the findings of the Enquiry Officer and issued a second show-cause notice to the 1st party proposing to dismiss him from service. The 1st party submitted his reply for the 2nd show-cause notice. The Disciplinary Authority gone through the said explanation thoroughly and as he did not find any mitigating and extenuating circumstances to alter the punishment of dismissal, the 1st party was dismissed from service w.e.f. 24-2-1988 as per the certified standing orders of the company.

(8) The findings of the Enquiry Officer are not perverse, as they are purely based on evidence and therefore, rightly relied upon by the Disciplinary Authority. As the negligence on the part of the 1st party was grave resulting in fatal accident, the punishment of dismissal is proportionate to the gravity of the misconduct. Hence, the prayer of the 1st party has to be rejected.

(9) My learned predecessor as we could see in the notes order dated 18-9-1990 had decided that no separate issue required, but the point for determination would be covered by the schedule to the reference. Further, since the domestic enquiry was conducted against the 1st party after examination of the MW1 namely the Enquiry Officer and the WW1 namely the workman my learned predecessor on 26-2-1991, had passed an order by setting aside the domestic enquiry conducted against the 1st party by the 2nd party. Subsequently on application made by the 1st party in I.A. 2 under Section 10(4)(a) of the I.D. Act, my learned predecessor on 30-8-1991 by relying on a decision of the Honourable Supreme Court in (*Deshraj Gupta v. Industrial Tribunal IV, Lucknow* and another) reported in AIR 1990 Supreme Court page 2174 had also passed an order of interim relief of Rs. 1385-95 per month w.e.f. 26-2-1991 till disposal of this reference. But subsequently on writ petition No. 25110/91 filed by the 2nd party the Hon'ble High Court of Karnataka on 21-11-1991 had stayed the said order of interim relief but ordered and directed that the 2nd party had to pay the said interim relief as per the above said order of this Tribunal from 26-2-1991 within four weeks from 29-11-1991 by making deposit the said amount before the Honourable High Court of Karnataka. But subsequently the Hon'ble High Court of Karnataka as per their order dated 23-9-1992 on a memo filed by the 2nd party, permitted the counsel for the 2nd party to hand over a cheque for Rs. 12,167.04 to the learned counsel for the 1st party instead of depositing the said amount into the Hon'ble High Court of Karnataka as per their previous order dated 21-11-1991.

(10) But till the hearing of the argument of both sides on merits in the present case, none of the parties filed any particulars as to the result of the above said writ petition No. 25110/91 filed by the 2nd party. But both the parties had continued to show further progress till the argument.

(11) My learned predecessor on passing of the above said order on preliminary issue about the validity of the domestic enquiry and while setting aside the domestic enquiry had passed an order giving opportunity to the 2nd party to justify their action against the 1st party. Accordingly the 2nd party had examined MWs 2 to 5 and WW1 also was recalled and examined as well as cross examined on merits.

(12) It is the case of the management, that on the negligent act of the 1st party one fatal accident had occurred on 27-5-1987 resulting the death of another workman Muthu. Therefore, the management had issued a charge-sheet and conducted the enquiry against him. After getting reply from the workman Ex. M2, the enquiry was conducted on the issuance of notice Ex. M3 to workman and accordingly the Enquiry Officer namely the MW1 had conducted the enquiry and given his findings Ex. M6 based on the enquiry proceedings Ex. M4 and order sheet Ex. M5. He had also given his final findings Ex. M7. On issuance of 2nd show-cause notice Ex. M8 by 2nd party and after receiving the reply from the 1st party Ex. M9, the dismissal order was passed Ex. M10 by accepting the said findings of Enquiry Officer. But as I stated above the entire domestic enquiry was set aside by this Tribunal on the ground of failure of natural justice.

(13) Therefore, now it is for this Tribunal to consider as to whether the action taken by the management against the 1st party is justified under rules and provision of law as specified in the schedule to reference. It is the burden cast on the management to prove the negligent act of 1st party. To discharge the said burden, the 2nd party had totally examined MWs 2 to 5 and marked Exs. M1 to M10. But the MW2 who was a General Labourer at the time of accident on 27-5-1987, had not deposed anything against the 1st party to prove the alleged act of negligence by 1st party. But on the other hand even in chief examination the MW2 himself admitted that the 1st party inspected the work done by others. He also admitted in his cross examination at para 5 of his deposition that the 1st party had made inspection correctly and that the safety department was looking after the wooden timber and its condition, and that he did not know who was the officer in the Safety department. Therefore, the evidence of MW2 in no way would help the 2nd party to prove the charge against the 1st party namely "the act of negligence".

(14) The evidence of MW3 Sri Saravanan who worked as a driver at the time of accident on 27-5-1987, also would reveal even in re-examination that the 1st party had done his work correctly on 25-7-1987. Therefore, the MW3 also had not anyway proved the said charge against the 1st party.

(15) When we come to the evidence of MW4 namely Sri Ganapathy Jov who was working as a Foreman at the time of accident on 27-5-1987 it can

be seen that though he had stated that he had given instruction to the 1st party, he had conceded even in chief examination that he did not know whether the 1st party acted negligently or not. That apart the MW4 in cross examination while giving details about the accident had admitted at para 4 as follows :—

"I have not seen the accident, General Foreman, supplies the safety materials. The workmen has to carryout the work with the safety materials supplied, R&D section checks the materials before it is supplied, I do not personally know whether on the day of accident R&D checked the materials given to the 1st party workman".

He also admitted at para 5 of his deposition in cross examination that :

"He did not know as to whether the 1st party had followed his instructions or not".

(16) Hence, the argument of learned counsel for the 2nd party who mainly relied on the evidence of MW4, that the evidence of MW4 would be sufficient to prove the negligent act of the 1st party, cannot be accepted. Because when the respective foreman namely MW4 himself had admitted that there was another section (viz.) R&D to check the materials before they were supplied and he had no personal knowledge as to whether the R&D section checked the materials given to the 1st party. The management also had not examined any of the persons worked in the R&D section who supplied the materials on the date of accident to prove the materials supplied on 27-5-1987 were checked and found correct. Even the entire evidence of four MWs (i.e.) 1 to 4 would not reveal any positive and concrete proof against the 1st party to accept the charge against the 1st party. Hence, I hold that the evidence of MW4 will not in any way prove the charge against the 1st party (i.e.) the act of negligence.

(17) Lastly the management had examined MW5 (i.e.) one Sri Pandian who was working on 27-5-87 at the place of accident. Though he was able to explain about the accident, but some how other he was also not in a position to say whether the materials supplied to the 1st party on 27-5-1987 were properly checked or not and whether the 1st party had acted negligently or not. But unfortunately for the management the said witness MW5 also in his cross examination had stated that he had not seen how the accident took place and in re-examination he specifically admitted that :

"The 1st party had done his work correctly on that day".

(18) Therefore, witnesses examined on the side of the management namely MWs 2 to 5 to prove the charge against the 1st party namely his act of negligence had not stated any act of negligent on the 1st party. But on the other hand total result of the evidence would show that the 1st party had done his work correctly. That apart the 1st party

himself as MW1 had emphatically opined that he had not committed any act of negligent both in his reply notice, pleadings as well as in his evident as WW1 on merits. He had stated that, he had inspected the materials given to him on that day and after inspection, he had also informed to Maistry Kannan that the materials were alright according to the 1st party, Maistry Kannan was to supervise the work at the spot. Which had been corroborated by MWs 3 and 5 that the 1st party had given instructions to Maistry Kannan.

(19) If that be the evidence both on the side of 1st party and management it is a bounden duty of the management to examine the said Maistry Kannan to substantiate their charges against the 1st party but unfortunately the said Maistry Kannan had not been examined. It cannot be accepted that the 1st party could have examined the Maistry Kannan when he defending the case against him. This lacunae also would effect the case of the 2nd party.

(20) Further the 1st party on issuance of the show-cause notice for the charge Ex. M1 had sent his reply dated 13-9-1987 which had been marked as Ex. M2 by the 2nd party. Even in the said reply the 1st party had stated in para 2 as follows :

"I have to bring to your kind notice the place was inspected by me and was found in tact. No foreman visited the spot to check the same what I have done. Inspection of sections by the foreman was very poor. I have already reported that the rope which was used by the deceased was Manila. The Nylon rope should be used and as the same was not available I was directed to use the manila rope. The platform was established and for the visit of officers this was removed for them to move freely for the inspection of site of accident. There is no negligence on my side the snapping has been occurred as the rope used by him was Manila".

The 1st party also asserted the same stand in his second show-cause notice at paragraphs 2 and 3. But even then the management had not placed any material as to whether the statement given by the 1st party in Ex. M2 was correct or whether the management had taken steps to ratify the defects pointed out by the 1st party in his reply notice Ex. M2. This could be another circumstances in favour of the 1st party or against the 2nd party namely the 1st party had taken all precautions within his limit to show that he had discharged his duties properly and even admitted by the MWs 2 and 5.

(21) At the time of domestic enquiry the management had marked Exs. M1 to M10 about which I had detailed above. But those documents in no way help the management to prove the guilty of the 1st party since the findings of Enquiry Officer based on those documents had not been accepted by this Tribunal by passing an order of setting aside the domestic enquiry. Therefore I hold that the 2nd party had not proved the charge as detailed in Ex. M1 and the punishment of dismissal awarded by the 2nd party to

the 1st party under their order in Ex. M10 has to be set aside.

(22) If that be the decision, then we have to consider as to what relief the 1st party is entitled. As I discussed above when the charge against the 1st party had not been proved then the dismissal order based on the said charge will not find place, then naturally the 1st party is entitled for reinstatement in his old position. But at the time of the argument, the learned counsel for the 1st party had conceded that during the pendency of the present proceedings before this Tribunal, the 1st party had attained his age of superannuation and he also fairly conceded that there could be no need of passing of any order of reinstatement. Admittedly the 1st party was working in the mine (underground) at the time of accident therefore it is clear that he was an underground worker and not surface worker as argued by the learned counsel for the 2nd party. But as per the circular issued by the 2nd party dated 30-3-1970 the retirement age for the underground workers had been fixed as 58 years. Therefore, I am of the opinion that the superannuation age of the 1st party could be at 58 years.

(23) Hence, I hold that the 1st party is entitled for full and entire monetary benefits from the date of his dismissal to till the date of the attaining the age of superannuation at 58 years. Further as I pointed out earlier this Tribunal on the application made by the 1st party had fixed Rs. 1385—95 as his interim relief as per its order dated 30-8-1991. That apart the 1st party had not placed any other figures for his subsequent monetary benefits therefore, I am of the opinion that it is for the management to calculate the entire and full monetary benefits payable to the 1st party from the date of dismissal till the date of his superannuation age at 58 years and has to pay the full amount after deducting the amount already paid by the management towards his interim relief.

AWARD

(24) In the result the action of the management of M/s. Bharat Gold Mines Limited, K.G.F. in dismissing Sri K.R. Kannabiran. Mining Mate, T. No. 2674 from service w.e.f. 25-1-1988 is not justified and hence the dismissal order dated 25-1-1988 is hereby set aside. Further the 1st party is entitled for his full and entire monetary benefits from the date of dismissal till he attained the age of superannuation at 58 years to be calculated in accordance with the rules and conditions prevailing then and paid to the 1st party after deducting the amount which had been paid by the management to the 1st party towards interim relief and together with the cost of Rs. 500 considering the entire proceedings from the date of entertaining of this proceedings till the date of passing of this award. Submit to Government.

(25) (Dictated to P.A. transcribed by him, corrected and signed by me on this Wednesday, the 26th day of November, 1997).

K. MOHANACHANDRAN. Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.आ. 39.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत गोल्ड माईन्स के प्रबन्ध तंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बेंगलूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-12-1997 को प्राप्त हुआ था।

[संख्या एन-43012/15/89-आईआर(मिस.)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 39.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd., and their workman, which was received by the Central Government on 2-12-1997.

[No. L-43012/15/89-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGALORE

Dated Wednesday the 26th day of November, 1997

PRESENT:

Sri K. Mohanachandran, B.Sc. B.L.D.L.A.L.
Presiding Officer

Central Reference No 91/89

I Party :

Sri. G. Munisamy

No. 62, Henry's Driver Lane
Dorgaum PO, KGF-563120.

(Represented by Sri. V.

Gopal Gowda, Advocate)

v.

II Party :

Managing Director

M/s. Bharat Gold Mines Ltd.,
Oorgaum P.O. KGF-563120.

(Represented by Shri T.
Rajaram Advocate

AWARD

In this reference made by Honourable Central Government under its order No. L-43012/15/89-IR (Misc) dated 7-12-89 the point for adjudication is as follows:

"Whether the action taken by the management of Bharat Gold Mines Limited in retiring Sri. G. Muniswamy from service with effect from 1-1-86 is justifiable. If not, to what relief Sri. G. Muniswamy would be entitled?"

(2) The 1st party's brief contention in the claim statement are as follows:

The 1st party joined the services of 2nd party as Labourer in the year 1945 and from 1957 to 1969 had worked as a Mistry from 1969 to 1980 and from 1980 to 1986 had worked as Foreman. The 1st party was born on 16-4-1931 as per his school records. But when he joined the services of 2nd party they have wrongly entered his date of birth in the service records which was not at all known to the 1st party until he was served with a notice of retirement stating that the 1st party had attained the age of 58 years and as such he would retire from service w.e.f. 1-1-1986. But it is factually incorrect as the 1st party would complete 58 years only in the year 1989 and could have continued in service till 1-1-1990 as per his correct date of birth.

(3) Even otherwise the 1st party would have continued in service till he attained the age of 60 years, as he was working on surface after 1970, in view of the special bulletin dated 4-3-1974 issued by the 2nd party with regard to the age of superannuation. The 1st party after receiving the notice of retirement had made oral requests to the 2nd party to re-consider his case and to continue his services till he attains the age of 60 years as per his correct date of birth. But the 2nd did not consider the request of the 1st party.

(4) Further, though the school records clearly shows that the date of birth of the 1st party as 16-4-1931, the 2nd party had failed to make necessary corrections in the service records of the 1st party and thus the wrong entry made by the 2nd party with regard to date of birth of the 1st party remained unaltered. Therefore, the age of superannuation arrived at on the basis of wrong entry of date of birth is arbitrary and illegal.

(5) Further the 1st party had put in continuous services of more than 240 days as defined under Section 25B of the I.D. Act and the 2nd party did not comply with the provisions of Section 25F clauses (a) and (b) of the I.D. Act. The 1st party was not given retrenchment compensation and as such the premature retirement of the 1st party amounts to illegal retrenchment and is not sustainable. Hence, the action of the 2nd party in retiring the 1st party w.e.f. 1-1-86 is not justified and the 2nd party has to reinstate the 1st party in his original post with all the consequential benefits.

(6) The concised averments of the 2nd party in their written statement are as follows:

The 1st party joined the services of 2nd party on 3-10-1945 as General Labour and had retired as Foreman. The 1st party was born on 16-4-1931 is not correct and the 2nd party is not aware of it. Further the 1st party had not furnished any documentary evidence at the time of his employment during 1945 as proof of recording his age and has declared his year of birth as 1927. So, as no date/month of the year of birth is indicated full benefit upto the end of the year of his birth was given and accordingly he was served with a notice of retirement from 1-1-86 on attaining the age of superannuation of 58 years.

(7) The 1st party in the year 1964 had filed P.F. declaration and nomination form in which his year of birth is noted as 1927, and the same was duly acknowledged and signed by the 1st party. The 1st party has quoted the wrong reference indicating superannuation age at 60 for surface workman and 58 for underground workmen. The company vide Ref. No. 2B dated 30-3-70 brought uniformity in the age of retirement at 58 for both surface and underground employees. However, all surface workmen already in service on 28-3-70 were allowed to continue in service upto the age of 60 years in accordance with the rules then in force for such category.

(8) Infact, the retirement age of 1st party was revised from 55 to 58 in order to bring uniformity in retirement age of all employees without difference for underground and surface and the circular dated 30-3-70 issued in this regard is shown in Annexure-B. So the 1st party worked right through in underground his age earlier fixed as 55 years was subsequently fixed as 58 is correct and hence comparing the surface workman litigation is absolutely baseless, in view of the fact that he is an underground workman right through.

(9) The application of the 1st party regarding continuance of service till the age of 60 years was not considered as he was an underground employee and in whose case the age of retirement is 58. A specific mention has been made under item 5 of the circular that those who do not then take the opportunity of producing the necessary evidence as to their correct date of birth, it shall be presumed that their date of birth as recorded in the service cards/P.F. declaration forms is correct and no further representation on this account will be entertained. Further, the last date fixed as 31-3-64 was extended upto 30-4-64 vide circular No. 2 date 2-4-64 as shown in Annexure-D and the copies of the same has been endorsed to the Trade Unions functioning in the organisation at that time. But the 1st party has not produced any documentary evidence at that time.

(10) The retirement of the 1st party on 1-1-86 at his age of 58 is legal and does not amount to unfair labour practice and victimisation and hence it does not attract retrenchment under Section 2(oo) of the I.D. Act and the question of complying that the provision of Section 25F, Clauses (a) and (b) of the I.D. Act does not arise. Therefore, the prayer of the 1st party has to be rejected.

(11) This is a case where we have to decide on merits of the case namely what could be the proved real age of superannuation. As we see from the notes order dated 19-11-90 my learned predecessor had passed an order that the point for determination in this case had been covered by the schedule to the reference. As I quoted earlier as per the schedule to the reference it is the burden and initial burden of the 2nd party to prove as to whether their action taken against the 1st party making him retire from service w.e.f. 1-1-86 on the alleged age of superannuation is justified.

(12) To discharge the said initial burden the management had examined only one witness namely their Personal Manager as MW1 and marked their documents Exs. M1 to M4. According to the MW1 Ex. M1 could be the service card of the 1st Party and accordingly the date of birth of the 1st party could be the year 1927. But MW1 himself admitted in his cross-examination at para 3 of his deposition that :

"I do not know when Ex. M1 was opened and by whom. I do not know who has made the entries in Ex. M1 and when Ex. M1 relates to Nandydrug Mine, it is not true to suggest that the date of birth mentioned in Ex. M1 is not the date of birth given by the 1st party Ex. M1 has been maintained for office purpose".

(13) Therefore, the above said clear admission made by a responsible officer of the 2nd party namely the Personal Manager will no way help the management to discharge their initial burden of proving their stand on the alleged correct date of birth of the 1st party namely 1927 as only particular shown in Ex. M1 against the column of the "date of birth". As admitted by the MW1 even the Ex. M1 though contained a column "signature and left thumb impression" which was meant for the 1st party is being left blank and the said portion has been marked as M1(a) during the cross examination of MW1.

(14) Further the 2nd party management had also relied on Ex. M2 namely a declaration and nomination form for P.F. But is not known as to what purpose Ex. M2 was marked by the management. Even as per the evidence MW2 in cross examination at para 4 "the date of birth" of the 1st party is not mentioned in P.F. form Ex. M2 and the learned counsel for the 2nd party had also not placed any sort of argument as to explain the purpose of marking Ex. M2 therefore it is needless to say that the 2nd party cannot seek any help from their own document Ex. M2 to discharge their above said initial burden. Therefore, it is clear from the documentary evidence and from the evidence of MW1 that the 2nd party had no positive and direct proof to show a correct date of birth of the 1st party.

(15) But when the 2nd party had not discharged their initial burden as shown in the schedule to the reference, I am unable to see any force in the argument of learned counsel for the 2nd party that in spite of the opportunity given to the 1st party under the notification issued by the management one on 2-12-1963 marked as Ex. M3 and another on 3-4-64 marked as Ex. M4, the 1st party has not placed his correct date of birth as alleged by him now.

(16) Because even the above said Ex. M3 notification dated 2-12-63 contains the following wordings at part 1:

3236 GI97-15.

"The Superintendent/Head of department will have a list prepared of all worker engaged prior to 1-1-56 showing their names, T. Nos. and date of birth as recorded. This list will be put on the Mine department notice board and a copy given to each of the unions functioning in these establishments by 10-12-63. Workers should be asked to examine their date of birth as notified and in case they dispute the same to produce the following evidence(s) on or before 31-3-1964:—

- (a) An extract from the birth Register maintained by the Registrar of Births and Deaths/Health Officer, Tahildar duly supported by a statement either from the village Munsiff or President of the Panchayat to the effect that the extract relates to the individual concerned.
- (b) A certificate of date of birth from a school recognised by the Government.
- (c) Baptism certificate in the case of Christians.
- (d) Original horoscope duly certified by an affidavit in support thereof.
- (e) In cases where it is certified by the Registrar of Births and Death/Health Officer that the records have been destroyed and are not available, the concerned individual may submit an affidavit in proof of his date of birth.

(17) Hence, from the above said relevant portions of Ex. M3 notification it would be clear that the management had instructed their Superintendent/Head of the department to put the above said notification in the notice board of the relevant department and also by sending a copy of the same to the union functioning to enable the workers to avail the opportunity given by the notification to make their representation regarding any correction in their date of birth. That apart the management also specified the mode of proof for accepting the date of birth shown by the employees as their correct date of birth but though the only witness for the management namely the Personal Officer was able to mark Ex. M3 and M4 notifications he was unable to explain as to whether the said notifications were exhibited in the notice board of the department where the present 1st Party was working. Even though the MW1 in chief examination had stated that the 1st party did not give any representation to 2nd party for correction of his date of birth as per the notification Exs. M3 and M4 and that if an employee had not given exact date of birth (i.e.) date, month he would be retired at the end of the year which had been given by the employee. But as I pointed out earlier there is no direct evidence on the side of the management that the 1st party had an opportunity to see the said notification and he had known the contents of the notification. That too particularly the proforma of notice appended to Ex. M3 not only specified the mode of evidence to be provided by the employees (a to e) to prove the date of birth in par with notification, it had also

specified that the employees should be informed as per the tabular columns which contains :

PARTICULARS OF THE DATES OF BIRTH OF EMPLOYEES RECRUITED PRIOR TO 1-1-1956

Sl. No.	NAME	T. No. & Department	Date of birth as recorded
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Therefore, it is very clear the intention of the management to publish the said notification could be only to inform their employees about the entry of their respective date of birth in the company and further more to give opportunity to the employees for the production of suitable evidence as specified above to correct the company records regarding correct date of birth of the employees but unfortunately the management in the present case had miserably failed to prove that the 1st party herein had been properly informed and given opportunity as per the said Ex. M3 notifications and notice appended thereto. Even though the 1st party had emphatically denied any knowledge about the said notification.

(18) The 1st party as WW1 to prove his pleadings at para 1 under page 1 had clearly deposed that about his knowledge to the notification as follows :

"At no point of time was I informed by the 2nd party that my date of birth was in 1927 and not 1931 no notice was issued to me informing me that they had noted down my date of birth as 1927, I came to know of the discrepancy of my age when 2nd party issued superannuation notice in 1985."

At page 2 under para 3 of his chief examination, he further deposed that :

"I am not aware of the notification calling upon us to get our date of birth rectified, I do not know that my date of birth has been entered wrongly!"

(19) In spite of the above said concrete denial by the 1st party about the above said notification to my surprise he had not been cross examined by learned counsel for the management about the said notifications not even a suggestion put to him to show that he had knowledge about the said notifications. Ex. M4 is another notification to extend the time for the correction of the date of birth upto 30-4-1964 but even there is no direct evidence on the side of the 2nd party to show that the 1st party was informed or he was made to know about the above said notification. Ex. M4 therefore in such circumstances I am of the opinion that Exs. M3 and M4 are in no way helpful to accept the argument placed for the 2nd party that since the 1st party had not availed the opportunity for correction of his date of birth, the claim of the 1st party for correction of his correct date of birth within the limited period fixed by the management under the said notification cannot be accepted.

(20) Again to answer the said pleadings of the 2nd party in their written statement, that even if we consider item 5 of the circulars as specified by them at para 5 at page 4 of their written statement, it had been decided and specified by the management that on failure of the employee to place sufficient and acceptable evidence to enter their correct date of birth in the records maintained by the management the date of birth entered in their respective service cards or P.F. declaration would be taken as correct and no representation would be accepted. But in the present case as I discussed above the management had not proved proper date, month and year of his birth. Hence, the case of the management based on the said circular cannot be accepted.

(21) Therefore, it is clear that neither the oral evidence of the only witness of the management namely the MW1 nor the entire documentary evidence namely Exs. M1 to M4 had proved the case of the management nor help them to discharge their initial burden as per the Schedule to the reference. Therefore, I find no force in the argument of the learned counsel of the management that the 1st party had not proved his correct date of birth as stated by him. Hence with respect, I am of the opinion that the authorities relied on by the learned counsel for the 2nd party namely (1) AIR 1990 Supreme Court Page 850 (Chief Medical Officer v. Khadeer Khadri) and (2) AIR 1988 Supreme Court Page 1796 (Biradmal Singhvi v. Anand Prohit) are not applicable to the facts of the present case.

(22) Further, it is well settled law that only a party who have been directed to prove their initial burden must discharge their said burden properly then the opponent side must be in a position to discharge their shifted burden. But as I narrated above, in the present case the 2nd party had not discharged their initial burden. But in spite of it, the 1st party had placed both oral and documentary evidence to prove his correct date of birth as 16-4-1931. Again the 1st party had specifically pleaded that his correct date of birth could be 16-4-31 and at the time of joining with the 2nd party he had produced the school certificate to show his and said correct date of birth. To substantiate the above said pleadings the 1st party as the WW1 had deposed at page 1 at para 1 as follows :

"My date of birth is 16-4-31. I left the school in 1944 November, I was working in Nandidurg Mines. I joined in 1945. When I joined II party I have given my date of birth as 16-4-1931. Then I showed my transfer certificate Ex. W-1 to the officials of II Party. They noted down the date of birth and gave me back Ex. W. 1."

(23) But in spite of the above said specific pleading and corroborated evidence of the 1st party 2nd party had not attempted to produce any records or particulars to show the relevant materials or records produced by the 1st party at the time of his joining the duty even though it was admitted by the 2nd party that the 1st party joined the services of 2nd party in the year 1945. Again if we peruse the Ex. W1 (viz) school transfer certificate produced by 1st party, it would show date of birth of 1st party as 16-4-31. The above said school certificate Ex. W1 had been filed

before this Tribunal by the 1st party along with his application IA2 for reconforming delay in filing the said transfer certificate.

(24) That apart this Tribunal after giving opportunities to the 2nd party who then opposed strongly to receive the above said Ex. W1. But this Tribunal which condoning the delay had passed an order on 13-9-93, as we could see the notes order, that the said I.A. could be allowed on the reasons stated by the 1st party and further observed that it was for the 2nd party to show the said transfer certificate could not be admissible or brought up or could not be relied upon. But, unfortunately, in spite of the above said specific order of this Tribunal the 2nd party had not taken any sort of attempt and to disprove the Ex. W1 transfer certificate. Therefore, I am of the opinion that the 1st party, to the extent possible, had proved its correct date of birth under law.

(25) But the learned counsel for the 2nd party had contended that even for argument sake if 16-4-1931 could be the correct date of birth of the 1st party when admittedly the 1st party had joined the 2nd party company in the year 1945 his age at his joining could be only 15 years and that the 1st party, being the minor in 1945, could not have joined in the company and in such circumstances he could not rely on the said date of birth 16-4-31 as specified in Ex. W1. To support the said argument, learned counsel for the 2nd party had relied on 1990 LAB I.C. Page 750 (Union of India and another v. Davichand Sharma) wherein the Hon'ble High Court of Punjab & Haryana at para 13 of the judgment had observed as follows;

"that the plaintiff, though cannot be denied to assert that his date of birth is April 1, 1937 would yet be estopped from claiming that for his service purposes his date of birth be treated as that, because that date of birth would have prevented him from regular entry into the service. Rather it would falsify him with regard to the declarations he made at the time of entry into service. So, for the purposes of service he is inextricably gripped to the date of birth which he got recorded at the time of his entry in service."

(26) But with respect I am of the opinion that the observation made in the above cited decision of the Hon'ble High Court of Punjab & Haryana is not applicable to the facts of the present case. Because it is well known fact that, even to-day child labourers are in practice in many places of India and it is needless to say that in those days that too in the year 1945, the same practice could have been followed. These opinions can be easily formed not without any materials but only on the basis of the evidence of the MW1. The MW1 at para 6 of his deposition (cross-examination) had deposed that :

"I am not aware whether they were appointing the boys of 15 or 16 as labourers".

He also admitted that he joined the 2nd party only in the year 1973. In such circumstances the only witness namely MW1 would not be in a position to say from any records of the management as to whether

the 1st party would have been appointed at his age of 15 or not. Therefore, I am unable to accept the above said argument of the learned counsel of the 2nd party and I hold that Ex. W1 cannot be rejected on the said ground.

(27) Again the learned counsel for the 2nd party also relied on ILR 1992 Karnataka Page 554 (R. Kuppuraj v. B.G.M.L.). But if we peruse the entire judgment, it is clear that the observation made in the above said judgment, by the Hon'ble High Court of Karnataka, will not be applicable to the present case. Because the 2nd party had miserably failed to prove that the 1st party had known the particulars of entry made in the records of the 2nd party regarding the date of birth of 1st party but failed to correct the same within the specified limitation period.

(28) Therefore, on materials placed before me it is very clear that the correct date of birth of the 1st party could be only 16-4-31 as proved by the 1st party and not as 1927 as stated by the 2nd party. If that be the fact, his correct age of superannuation at his 58th age could be only on 16-4-1989 and not on 1-1-1986 as stated by the 2nd party. Therefore, I hold that the 2nd party is not justified in retiring the 1st party from service w.e.f. 1-1-1986.

(29) It has been conceded by the learned counsel for the 1st party that during the pendency of this case, the 1st party had attained the age of superannuation and that there need not be any direction to the 2nd party for reinstatement of the 1st party but anyhow since the management had wrongly made the 1st party to retire on 1-1-86, I hold that the 1st party is entitled for entire and full monetary benefits from 1-1-86 till 16-4-89 (i.e.) upto his correct age of superannuation as if he could not have been made to retire on 1-1-86 and thus deem to have been continued in service upto 16-4-89. Further, the 1st party had not placed any particulars about his last drawn pay either in his pleadings or evidence hence I hold that since all the relevant records and materials could be available only with the 2nd party, the 2nd party must be given direction to calculate the entire and full monetary benefits payable to the 1st party as per the then prevailing rules and service conditions between 1-1-86 and 16-4-89 and the entire due amount has to be paid to the 1st party in lumpsum.

AWARD

(30) In the result, the award is passed that the management of M/s. Bharat Gold Mines Ltd. is not justified in retiring the 1st party Sri. G. Munisamy w.e.f. 1-1-86 and hence the said order of retirement passed by the management against the 1st party is hereby set aside and that the 2nd party is hereby directed to calculate the entire and full monetary benefits payable to the 1st party between the periods 1-1-86 and 16-4-89 as per the then prevailing service rules and conditions and pay to the 1st party in lumpsum within 2 months from the date of passing of this award. Submit to Government.

(31) (Dictated to P.A. transcribed by him, corrected and signed by me on this Wednesday, the 16th day of November, 1997.

K. MOHANACHANDRAN, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का. आ. 40.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसार में, केन्द्रीय सरकार भारत गोल्ड माईन्स के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बैंगलोर के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-12-1997 को प्राप्त हुआ था।

[संख्या एल-43012/27/89-आई.आर. (विविध)]

बी.एम. डेविड, ईस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 40—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Gold Mines Ltd. and their workman, which was received by the Central Government on 2-12-1997.

[No. L-43012/27/89-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated, Friday the 28th day of November, 1997

PRESENT :

Sri. K. Mohanachandran, B.Sc., B.L.D.L.A.L- Presiding Officer.

Central Reference No. 21/90

I Party

Sri A. Manickam,
S. T. Block, Door No. 777,
Corgaum P.O., KGF-563120.

v.

II Party

Managing Director,
M/s. Bharat Gold Mines Ltd.,
Corgaum P.O., KGF-563120.

AWARD

In this Central Reference made by Honourable Central Government under its Order No. L-43012/27/89-IR(Misc.) dated 29-3-90, and the point for adjudication is as follows :

"Whether the management of B.G.M.L., KGF. is justified in dismissing Sri A. Manickam, General Labourer, T. No. 3134, Nundydroog Mine from service w.e.f. 7-2-89. If not, to what relief is he entitled "

(2) The 1st party's concised averments in his claim statement are as follows :

The 1st party had worked with the 2nd party for nine years. He was issued with a show-cause notice dated 7-12-88 making untenable allegations which attracts misconduct under clause 15(b)(12) and (34) of the standing orders of the 2nd party. The 1st party submitted his reply for the show-cause. But the 2nd party, being not satisfied with it, had held a domestic enquiry and after conclusion of the domestic enquiry, the Enquiry Officer submitted his findings to the 2nd party which is perverse, biased and unreasonable.

(3) Subsequently the 2nd party had issued a second show-cause notice dated 24-1-89 to the 1st party and the 1st party replied for the same stating that he is innocent and that he was falsely implicated in order to victimise him just

because he had quelled with his superior on a genuine ground. The 2nd party without considering the material on record and on preponderant of probabilities and without applying his mind independently, had issued a dismissal order dated 7-2-89 without notice or any compensation in lieu of notice under standing order's clause 15(a)(7)

(4) The 2nd party before passing the dismissal order had failed to go through the fact that the charge-sheet itself is untenable. Because the charge is that the 1st party was stealing the materials along with two others, whereas neither charge-sheet was issued nor domestic enquiry was held against the said others. Further, the 2nd party had failed to see a vital aspect (i.e.) the alleged crime did not take place at all. If at all it had happened, the Foreman should give written complaint against the 1st party and a police complaint also should have been lodged in this regard. But neither complaint of the Foreman nor a police complaint was lodged. Therefore, the action of the 2nd party in dismissing the 1st party is absolutely bad in law.

(5) The 1st party's dismissal from service without notice and without compensation is wholly unfair, unreasonable and unjustified and accordingly the impugned order of punishment is bad in law and has to be set aside. Hence, the 1st party prays to pass an award holding that the 2nd party had not justified its action in dismissing the 1st party from service and the 2nd party has to reinstate the 1st party in his original post with all consequential benefits.

(6) The brief averments of the 2nd party in their written statement are as follows :

The 1st party was issued with a charge-sheet under Clause 15(b)(12)(34) of the standing orders and the 1st party had submitted his reply. As the said explanation was not satisfactory, notice of domestic enquiry was served to the 1st party. The 2nd party had extended all opportunity to the 1st party to defend his case as per rules and principles of natural justice. After scrutinising all the evidence on record the Inquiry Officer had rendered his findings. The 1st party was indulged in act of stealing gold therefore the charge-sheet was issued to the 1st party. Since it is a theft case the Disciplinary Authority did not find any mitigating circumstances to reduce punishment. Moreover his past service records was also scrutinised before issuing order of dismissal. All the other averments contra are denied as false and baseless. Hence, the prayer of the 1st party has to be rejected.

(7) My learned predecessor on the above said pleadings on 22-9-90, as we could see from the notes order, had framed a preliminary issue to the effect that;

"Whether the 2nd party proves that it has held the domestic enquiry against the 1st party in accordance with law."

Then after examining the MW1 and marking Exs. M1 to M8 and Exs. M4 (a) to M4 (b) to him and WW1. my learned predecessor on 19-11-92 passed an order on preliminary point holding that the domestic enquiry held against the 1st party was fair and proper and was in accordance with principles of natural justice.

(8) Subsequently he had given opportunities to place evidence on victimisation relying on H.R 1992 Karnataka 673 as we could see in the notes order dated 19-11-92. Accordingly since the learned counsel for the 1st party had represented on 7-5-93 that they had no evidence on victimisation the case was posted for argument on perversity of the findings. Then, on the request of the learned counsel for both the parties arguments had been heard by me.

(9) Therefore, it is clear that at this stage, since this Tribunal had already given finding that the domestic enquiry conducted by the 2nd party as against the 1st party was proper and in accordance with principles of natural justice, and as none of the parties have placed any more further evidence, now it is for this Tribunal to decide about the perversity of the findings of the Enquiry Officer and on the question of victimisation etc. based on evidence already on record.

(10) To discharge to the initial burden of the management as per the schedule to reference and to prove the charge against the 1st party, the management had totally examined 7 witnesses before Enquiry Officer. Among those 7 witnesses the 1st witness namely Sri Sanjeevaraju who was working as a Foreman at the time of occurrence in question had deposed as an eye witness to the occurrence. When we peruse his entire evidence recorded by the Enquiry Officer, it would be clear that he had been the 1st party while he was pounding the GBQ (gold) along with other 2 workers. He, in his evidence, had also clearly explained about the conduct of the 1st party. He being the eye witness to the occurrence, I am of the opinion that the relevant portion of his evidence will be helpful for proper discussion in this case.

(11) The said foreman Sri Sanjeevaraju as 1st witness before the Enquiry Officer in chief examination had stated as follows :

"On 6-12-88, instead of passing through the south ladder way I went down through north ladder way and crossed the middle bench of No. 42 Bk. and stood there. I observed from that point where some people were working these people shouted at me as "don't come, don't come" alleging that, there is some handling loose. In spite of their shouting I have crossed these working crew and stood on the broken ore from there I have seen Sri Manickam T. No. 3134 and other two employees were pounding the gold bearing quartz on hearing the noise made by the crew members working near the middle bench two among three already pounding the GBQ ran away and I could not recognise them."

(12) Further the same witness while narrating the subsequent conduct of the 1st party had given the following details ;

"Then I have seen Manickam going to scrapper pocket. Immediately I called Manickam and enquired regarding pounding the GBQ pieces. He then requested me that he won't do hereafter wards the illegal thing and pardon him I did not agree to his version and immediately called Section agent through Sri Samu, T. No. 718 the Section agent came to the spot, inspected and found some GBQ pieces and powder. He has asked Manickam what is this ? And how these GBQ pieces and powder lying there. Then Sri Manickam again requested the section Agent that, he won't do this further and requested to pardon him. The section Agent did not agree to his words".

(13) The said witness also further deposed about the conduct of the 1st party and in what way he has tried to destroy the important material evidence against him. I wish to quote his words as follows to that effect;

"Then section agent informed me to stay there and went to 36 level plat to inform the Manager. Meanwhile Manickam pushed me while I was standing near the GBQ pieces and started throwing the GBQ pieces to the ore pass. While he was doing so and throwing the remaining GBQ pieces I tried to prevent him from doing so by putting foot on his hand but still forcibly he has taken his hand and throw the GBQ pieces to the ore pass. In this process he sustained injury to his left hand thumb on which I laid my foot to prevent throwing the GBQ pieces. Afterwards I went to 36 plat where the section Agent was there. Then I narrated what had happened. at that time the section Agent was telephoning to the Asstt. Manager about the incident.

Again he had also deposed as to how the 1st party tried to escape from the scene as follows :

"At that time Sri Manickam was at 36 plat which was communicated to the Asstt. Manager by the Section agent. The Asstt. Manager instructed the section Agent and me to keep Manickam at 36 plat itself. By over hearing this Sri Manickam ran away from 36 to 38 plat. In spite of the section Agent calling him to be at 36 level. Then Sri Manickam went down to 38 level and he came up

to surface. When he came up to surface, a preliminary enquiry was held N. G. S. Manager's room."

(14) Therefore, the above said clear evidence of an eye witness would reveal that the 1st party Sri Manickam along with other had involved in an illegal act pounding the materials which contained gold. Even though Sri Sanjeevaraju had not been cross-examined on that day (i.e.) on 21-12-88 but later request of the 1st party the Enquiry Officer had allowed the 1st party to cross-examine the said witness on 3-1-89. But none of the details given by the said eye witness in his chief and cross-examination had been contraverted or denied by the 1st party. Not even a suggestion but even in cross-examination the eye witness Sri Sanjeevaraju had asserted the main illegal act of the 1st party. That apart his evidence in cross-examination would specify the distance between ore pass and the place of occurrence would be 20'. It could also be probable that the 1st party could have thrown what he had taken and pounded from the mines illegally. Hence, the argument of the learned counsel for the 1st party, namely the 1st party could not have thrown the said material within the distance of 20' and that the evidence of MW1 namely Sri Sanjeevaraju to that effect, could not be accepted.

(15) That apart the evidence of only eye witness (viz.) Sri Sanjeevaraju also would show that prior to the occurrence he doubted some illegal activities which were going on among the workmen in the same place of occurrence. Therefore, he wanted to take steps and accordingly he watched every movement of workers carefully and vehemently and thus found out the occurrence in question. That apart his evidence further shows that while the 1st party had attempted to throw the material evidence (i.e.) pounded gold he pressed the left hand of 1st party with his legs and which caused some wound on the left thumb of 1st party.

(16) The said version, namely causing of wound to the 1st party on his left thumb by the 2nd party had been corroborated by the Medical Officer namely 2nd witness before Presiding Officer. The said doctor had examined the 1st party and issued a certificate Ex. M4 (f). The doctor in his evidence had asserted that the said wound found on left thumb of the 1st party was a fresh lacerated wound with skin avulsion. To support him the 1st party himself had admitted in his evidence that he had been sent to the hospital on 6-12-88 for the treatment of wound on his left thumb. But the above said evidence of the Chief Medical Officer had not been contraverted or contradicted either by 1st party or his defence Representative one Mr. Arumugam the then Vice President of Union. Therefore, the presence of wound on 6-12-88 as proved by the Doctor would clearly corroborate and substantiate the evidence of the 1st witness to show that the 1st party had involved in the occurrence as spoken by the said Sri Sanjeevaraju.

(17) Again as I pointed out above Sri Sanjeevaraju specifically stated as follows :

"While he was doing so and throwing the remaining GBQ pieces I tried to prevent him from doing so by putting foot on his hand but still forcibly he has taken his hand and throw the GBQ pieces."

Therefore, evidence of the said eye witness would clearly prove the illegal act namely theft of gold committed by the 1st party.

(18) That apart, as I quoted above, the same eye witness had also clearly stated in his evidence that immediately after the occurrence he had informed and detained the occurrence to the section Agent who have been examined by 2nd party as 3rd witness before the Enquiry Officer. The 3rd witness (viz) Sri Samboo would clearly corroborate the evidence of the 1st witness regarding the information passed by 1st witness to 3rd witness in connection with the occurrence involving the 1st party. The 3rd witness also corroborates the evidence of 1st witness to show that after hearing Sri Sanjeevaraju and when he found the 1st party on the 38 level he had enquired with 1st party about the occurrence but Sri Manickam replied that he wanted to go to the hospital. But the 3rd witness though not explained the mode of occurrence as spoken by the 1st witness he had deposed that immediately after the occurrence the 1st witness had explained and detailed about the entire occurrence as spoken

by the 1st witness. The 3rd witness further deposed that the Asstt. Personal Manager (witness No. 6 before the EO) had conducted the preliminary enquiry on the basis of information given by Sri Sanjeeviraju the 1st witness.

(19) The Asstt. Personal Manager as 6th witness (i.e.) Sri George before the Enquiry Officer had completely corroborated the evidence of 1st witness and 3rd witness about the information passed by the 1st witness regarding the commitment of the said alleged illegal act by the 1st party immediately after the occurrence. Therefore the evidence of 6th witness also would support the evidence of 1st witness to prove the guilt of the 1st party Sri Manickam.

(20) Further, the evidence of 5th witness (i.e.) Sri Ravi and 7th witness (i.e.) Sri Edison Rose also would show that on the date of occurrence and time as spoken of by the 1st witness the 1st witness and the 1st party were seen at 38 level and they were talking with each other. Though 5th and 7th witness would say that they did not see the exact occurrence, their evidence would corroborate the evidence of 1st and 3rd witnesses to show that immediately after occurrence they had seen the 1st party and the 1st witness at the place of occurrence.

(21) In particular the 7th witness namely Sri Edison Rose had detailed about the circumstances under which he was asked by the 1st witness in the presence of the 1st party to call the 3rd witness immediately.

(22) Apart from the above detailed oral evidence placed by the 2nd party before the Enquiry Officer, the evidence of Enquiry Officer as MW1 and the evidence of the 1st party as WW1 before this Tribunal would totally reveal that the 1st party had been given full and proper opportunity in the domestic enquiry and Enquiry Officer had recorded the evidence of all those witnesses of 2nd party only after giving full and proper opportunity to 1st party that too in the presence of the 1st party and his representative Sri Arumugam, Vice President of Union. The MW1 namely the Enquiry Officer before this Tribunal had deposed the procedure adopted by him in domestic enquiry and also marked the Exhibits namely chargesheet (Ex. M1), reply of the 1st party to charge-sheet (Ex. M2), notice of enquiry (Ex. M3), enquiry proceedings of the Enquiry Officer (Ex. M4), findings of the Enquiry Officer (Ex. M5), 2nd show-cause notice issued by the 2nd party to 1st party (Ex. M6), reply of the 1st party to the 2nd show-cause notice (Ex. M7), dismissal order passed by the 2nd party against the 1st party (Ex. M8). Further signatures of the 1st party in Ex. M3 as Ex. M3(a), in Ex. M4 as M4(c), findings of the preliminary enquiry of the Enquiry Officer is Ex. M4(b), proceedings of the Enquiry Officer as Ex. M4(c) and complaint given by Sri Sanjeeviraju against the 1st party Ex. M4(d), signature of the 1st party in Ex. M7 as Ex. M7(a) had been marked through the MW1.

(23) But in spite of the above said evidence of the management both oral and documentary before this Tribunal the 1st party except his oral evidence in the point of the above said preliminary issue not placed either oral or documentary evidence to support his defence. That apart not only before the Enquiry Officer but also before Tribunal he had not chosen to examine any of the co-labourers who had worked along with him on the date and time of occurrence either to support his defence or to falsify the case of the management.

(24) In such circumstances even if we consider the oral statement given by the 1st party before the Enquiry Officer and before this Tribunal, it would be clear that his allegation and motive against the witness of the 2nd party cannot be accepted as he had not cross-examined them to that effect. Now he had stated those allegations at first opportunity, in the earliest point of time given to him namely reply to the 1st show-cause notice. In reply Ex. M2 dated 7-12-88, the 1st party had simply denied the charge namely the illegal activity of gold stealing and his involvement on the said date. Of course it is true that in his 2nd show-cause notice Ex. M2 the 1st party somehow or other had developed some allegations against the 1st witness before the Enquiry Officer namely Sri Sanjeeviraju. But as I said earlier since he had not availed the 1st opportunity in the month of December '88, while sending his reply Ex. M2

I am of the opinion that all the allegations made against the witnesses of the management particularly against the above said 1st witness viz. Foreman Sri Sanjeeviraju are only a Cock and bull story and cooked up for the purpose of the present case. The above said opinion can be formed, because if really there was any enmity between the 1st party and Sri Sanjeeviraju as spoken by the 1st party in connection with the allotment of the work to the 1st party he would have examined any one of his co-worker to support the above said allegations against Sri Sanjeeviraju. But as I said earlier he had not chosen to do so. In such circumstances I hold that the 1st party not only failed to contravert both oral and documentary evidence placed by the management against 1st party but also not succeeded on his attempt to create some doubt or prejudice on the witness of the management. Hence, I find that the defence placed by the 1st party in all aspects cannot be accepted.

(25) Therefore, as I elaborately discussed above the witnesses of the management both before the Enquiry Officer and this Tribunal had corroborately and cogently proved the charge against the 1st party that the 1st party had committed a theft of gold while he was working in the 2nd party on 6-12-88 in accordance with rules and law provided. Hence, I am unable to accept the arguments of the learned counsel for the 1st party that the Enquiry Officer had not given proper reasons for his decision and hence his findings must be rejected as perverse. Because, if we peruse the findings of the Enquiry Officer namely Ex. M5 it would be clear that he had discussed all the material evidence placed before him and also gave necessary and proper reasons for his findings on the issues framed by him connecting with the case against the 1st party namely Sri Manickam. Hence, with respect I am of opinion that the case law reported in 1986(1) LLJ page 101 (between Anil Kumar and Presiding Officer and others) (Supreme Court) and relied on by the learned counsel for the 1st party is not applicable to the facts of the present case.

(26) But, at the same time with respect I am of opinion that the authorities relied on by the learned counsel for the 2nd party namely the case between (T. Seeralan and the Presiding Officer II Addl. Labour Court and others) reported in 1986 (II) LLJ page 85 (High Court of Madras) could be a direct and relevant authority connected with the facts of the case in our hands. In the above said judgement, the Hon'ble High Court of Madras had held at para 4 at page 86 as follows :

"Regarding charge of theft, both the Disciplinary Authority and the Tribunal on a meticulous analysis of evidence on record, have held that the charge had been proved. Once such a finding is rendered, which is an offence punishable under Indian Penal Code, it would be against interests of other Workmen and industrial development, if adequate punishments are not imposed when offences under Indian Penal Code are established. He could have been prosecuted. Company having chosen to proceed by a domestic enquiry, based on the Standing Order, this Court considers that there is very little scope for any generosity to be shown or to bring into existence minor punishments for such derelictions. Committing theft had been considered as a penal offence in the interest of society to maintain law and order in the country and to strike out standards. When they occur in industries, would be detrimental to the interests of the Nation, if a different approach is made mainly because he is a workman under I.D. Act."

(27) That apart as I quoted earlier the evidence of Sri Sanjeeviraju and Manohar before the Enquiry Officer would show that the 1st party also had given oral confession before them and admitted his guilt and pleaded for pardon. Therefore, it is clear that apart from the positive and proper evidence placed by the management against the 1st party in connection with the charge in this case, the above said oral confession which could be accepted as it had not been denied by the 1st party during the cross-examination would also strengthen the case of the 2nd party. Because, as relied on by the learned counsel for the 2nd party in a case between (Hindustan Aeronautical Limited v. K. Shanmugam and others) reported in 1992 LAB. I.C. Page

705 the Hon'ble High Court of Karnataka had held at para 13 and 14 as quoted as the Head note of the above cited case as follows :

"it could not be said that the workman was not aware of the consequences of non-furnishing correct particulars while seeking employment. When the workman had himself pleaded guilty, there is no necessity for the enquiry officer to proceed further with the enquiry and there was nothing for the management to enquire further by leading further evidence. When the admission was there, even non-application of the principles of natural justice will not weigh much. It could not be said that the charges levelled against the workman were vague and indefinite and they did not amount to the misconduct of wilfully making false declaration regarding age, qualification and experience in the application for employment. Thus the approval of the proposal order of dismissal could not have been denied."

(28) Hence, as I detailed above, both by direct and circumstantial evidence the 2nd party have, proved the charge against the 1st party that he had committed an illegal act of theft of gold while he was working on 6-12-88 and this Tribunal cannot invoke Section 11A of the I. D. Act in view of the above quoted authorities placed by the counsel for the 2nd party.

AWARD

(29) In the result an award is passed that the management of M/s. Bharat Gold Mines Ltd., K.G.F. is justified in dismissing Sri A. Manickam, General Labourer, T. No. 3134 from service w.e.f. 7-2-1989 and hence the 1st party is not entitled for any relief and therefore the reference is hereby rejected. Parties are directed to bear their own cost. Submit to Government.

(30) (Dictated to P.A. transcribed by him, corrected and signed by me on this Friday the 28th day of November, 1997).

K. MOHANACHANDRAN, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 1997

का.आ. 41.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक आफ इंडिया के प्रबन्ध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-97 को प्राप्त हुआ था।

[सं. एल-12012/204/90 आईआर (बी-II)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 10th December, 1997

S.O. 41.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Union Bank of India and their workman, which was received by the Central Government on 10-12-97.

[No. L-12012/204/90-IR(B-II)]
P. J. MICHEAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGALORE

Dated Wednesday, the 3rd day of December, 1997

PRESENT :

Sri. K. Mohanachandran, B.Sc., B.L., D.L., A.L.,
Presiding Officer

Central Reference No. 57/90

I Party

Sri. Veerappa S. Chandragi,
Kumbar Oni, Manoli-591117,
Taluk; Soundatti, Dist; Belgaum.
(Karnataka).

V.

II Party

Deputy General Manager.
M.s. Union Bank of India,
Zonal Office South-II.
'Chandrakian',
PB No. 5179, 10-A, Kasturba,
Road, Bangalore-560001.

AWARD

In this Central reference made by Hon'ble Central Government under its order No. L-12012/304/90-IR.B.(II) dated 12-10-90 the point for adjudication is as follows :—

"Whether the action of the management of Union Bank of India in terminating the services of Sri. Veerappa S. Chandragi, Mini Deposit Collector, w.e.f. 18-3-85 is justified? If not, to what relief the said workman is entitled to?"

2. The brief averments of the 1st party in his claim statement are as follows:

The 1st party joined the services of 2nd party of Manoli Branch on 23-1-1975 as Mini Deposit Collector. The 1st party was issued a letter of termination from service dated 18-3-1985 by the 2nd party. While terminating the services of 1st party no allegations were made, no charge-sheet was issued, enquiry was also not held, no notice in lieu of pay was issued to him and no compensation was paid hence the termination of the 1st party from service was without any valid reasons and was abrupt and arbitrary and the same against the principles of natural justice. The 2nd party had not followed the provisions of I.D. Act, 1947 and principles of natural justice in terminating the services of 1st party and hence the termination is illegal. The 1st party raised a dispute before the Assistant Labour Commissioner (Central), Mangalore regarding his illegal termination, and claiming reinstatement with full back wages based on the award of the Industrial Tribunal, Hyderabad about Deposit Collectors to which the 2nd party was also a party.

3. The termination of 1st party from service is abrupt, arbitrary and the 1st party is deemed to be in the continuous service of the 2nd party. It is therefore, prayed that the termination of service of the 1st party from 18-3-85 is arbitrary, abrupt, illegal and void. Hence, the 1st party has to be reinstated from 18-3-85 with all benefits and also should pay interest on the arrears of salary etc. together with costs of this proceedings.

4. The concised averments of the 2nd party in their written statement are as follows:

The service conditions of Mini Deposit Collecting Agents of the Bank including the 1st party are not governed by the contract of Agency entered into between the parties. The 1st party was not appointed as workman and there was no relationship of employer and employee between the 1st party and the 2nd party but the relationship was only as principal and an agent. The award passed by the Industrial Tribunal, Hyderabad in I.D. No. 14 of 1980 does not provide reinstatement of Mini Deposit Collecting Agents

with full back wages as stated by the 1st party. Hence, the question of reinstatement of the 1st party in service as Mini Deposit Collecting Agent does not arise at all.

5. The Indian Bank Association have filed a W.P. No. 9783 of 1989 in the High Court of Andhra Pradesh challenging the said award of the Industrial Tribunal, Hyderabad and the Hon'ble High Court vide its order dated 20-7-89 also stayed the operation of the award as it relates to absorption of the Mini Deposit Collecting Agents.

6. The brief averments of the 2nd party in their 2nd additional written statement are as follows;

The 1st party is not a workman as defined under Section 2(s) of the I.D. Act and the reference has to be rejected on this ground alone. The 1st party was a Mini Deposit Collecting Agent and entered into contract with the Bank as Agency under which the 1st party was to collect deposits for the Bank from the public. The 2nd party appoints the agents on contract as per terms agreed to in writing in the form of agreements. These Agents were paid commission as stipulated in the contract of agency and no timings were fixed. The 2nd party had no control whatsoever with regard to agents perform their part of the contract under the agreement.

7. The agents were not appointed like any other employees of 2nd party nor they were governed by any Awards/settlements or any service conditions. In such circumstances the 1st party who was a Mini Deposit Collecting Agent, cannot claim to be a 'workman' of the 2nd party. Hence, a preliminary issue to the effect he framed and tried before going into the other aspects of the reference;

8. The 1st party was entered into contract with 2nd party w.e.f. 23-1-1975 and was carrying out the obligation under the contract as Mini Deposit Collecting Agent. The termination of the contract is as per the terms of the contract entered into between the 1st party and 2nd party, and as such it would not amount to retrenchment under Industrial law. The termination of an employee under a stipulation provided for such termination under the contract does not constitute retrenchment as defined under Section 2(oo) of the I.D. Act.

9. Under Section 2(oo) (bb) a termination effected in terms of the contract under the powers reserved under the contract would fall outside the purview of retrenchment hence on this ground even if it is held that the 1st party is a workman, the termination does not constitute retrenchment. The 1st party entered into contract with the 2nd party on 23-1-75 and did not join the services of the 2nd party as stated by him. Therefore the reference of the 1st party has to be rejected with costs.

10. Though the 2nd party had filed I.A. 1 before my learned predecessor for framing of preliminary issue namely as to whether the 1st party was a workman under the 2nd party. But subsequently since the counsel for the 2nd party had not pressed the said I.A. but agreed to consider the said point at the time of final argument, the I.A. was dismissed as we could see the notes order dated 15-5-1992. In such circumstances my learned predecessor had decided that the schedule to the reference is an issue to be decided in this present case and no separate issue need be framed.

11. Hence, I am of opinion that before giving decision on the merits of the above said points in the case it is necessary to decide as to whether the 1st party was a workman under the 2nd party. It is contended by the 2nd party that the 1st party was not a workman as defined under I.D. Act and the present reference based on the dispute raised by the 1st party cannot be dealt with before this Tribunal under I.D. Act. The 2nd party both in his written statement and additional written statement had stated that the 1st party was not a workman as defined under Section 2(s) of the I.D. Act which runs as follows :—

"Workman" means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether

the terms of employment be express or implied and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute".

12. But as correctly pointed out by the Union representative of the 1st party that the workman had worked as Mini Deposit Collecting Agent (i.e.) as Pigmy Agent under the 2nd party as a Mini Deposit Collector under the Mini Deposit Collecting Scheme started by the 2nd party. The contention of the 2nd party could be that the 1st party was not a regular worker under the 2nd party Bank and he had not signed any attendance register, he had not been regularly controlled by the 2nd party, not even paid any regular salary by the 2nd party but he was working only as a Mini Deposit Collecting Agent for which he was paid only commission based on the amount collected by him. But as contended by the 1st party the 1st party was appointed only by the 2nd party as Mini Deposit Collecting Agent. The above said contention of the 1st party have been corroborated or even supported by Exs. M1 to M9 namely Mini Deposit Collecting Scheme bill prepared by the 2nd party for the 1st party herein. Exs. M11 and M13 would show that he had also been issued with I.D. Card of the Bank. Though the 2nd party relied on their Circular dated 27-8-1976 (a copy of which is marked as Ex. M12) they cannot seek any help from that circular as it could be the guidelines to be followed by all the branches of Karnataka towards or against the Mini Deposit Collection Agents who could resign suddenly and stop collection. Of course it is true that these Exs. M1 to M9 would show that the 1st party was paid only commission and not any other form of remuneration like salary etc. But as relied on by the Union representative of the 1st party, a case (between the Management of Indian Bank and (1) Presiding Officer, Industrial Tribunal (Central), Madras (2) Smt. M. Seethalakshmiammal, a Mini Deposit Collecting Agent) reported in 1990(1) LLJ, page 50 it had been decided by the Hon'ble High Court of Madras (Divisional Bench) while following a decision of our Hon'ble Supreme Court reported in 1968 (1) 111 page 288 in a case of State of Assam v. Kanak Chandra Dutta their Lordship at page 56 paragraph 9 had observed as follows :

"thirdly the remuneration of the Tiny Deposit Agent is fixed in the agreement. Ex. M.3 as well as the appointment letter, Ex. M.2. Though, it is called commission, it will still to be remuneration as defined by the decisions of the Supreme Court as well as the definition of wages in the Act. In State of Assam v. Kanak Chandra Dutta (1968-1-111-288), the Supreme Court held that remuneration could be by way of commission on collections. In that case the question related to a Mauzadar in the Assam Valley. The question was whether he held a civil post under the State of Assam and was entitled to the protection of Article 311(2) of the Constitution. One of the arguments advanced was that he could not be considered to hold a civil post as he did not draw the salary. The Supreme Court held that a post outside the regularly constituted services need not necessarily carry "a definite rate of pay", and the post of Mauzadar carried with it a remuneration by way of a commission on collections of Government dues. It was, therefore, held that Mauzadar was a person holding civil post. It was also pointed out that he need not be a whole time employee. Applying the ruling there will be no difficulty in holding that the commission provided for payment to the second respondent under the agreement will be hire or reward within the meaning of Section 2(s) of the Industrial Disputes Act".

(13) Further at page 58 it was also held as follows from 12th line to 30th line;

"The question before us is whether on the terms of the employment as found in the written contract as well as the oral evidence adduced before the Tribunal, the second respondent is a workman as de-

defined by the Act. If the definition contained in the Industrial Disputes Act is satisfied and if the various tests laid down by the Supreme Court are fulfilled, then there cannot be any doubt that the second respondent will be the workman. Just because the Bank is prevented from employing a person on commission, the second respondent will not cease to be a workman as defined by the Act. The provisions of the Banking Regulation Act will not enable the Bank to contend that the second respondent must be held to be an independent contractor even if the second respondent satisfies the definition of a workman under Section 2(s) of the Industrial Disputes Act."

(13) That apart though it was stated by the 2nd party both in their pleadings and evidence through MW1 that there was written contract between the 1st party and the 2nd party and accordingly the 1st party was not a workman under the I.D. Act no documents nor any such contract had been filed to substantiate the above said terms of contract.

(14) Again it had been contended by the 1st party at para 10 of his claim statement that :

"Already in an Industrial Dispute in CR 14/1980, the Industrial Tribunal Hyderabad in a question referred by the Government of India as to whether Mini Deposit Collecting Agents are workman or not and the present 2nd party was also a party in the dispute had given a verdict that on 22-12-88 that the Mini Deposit Collecting Agent were workman under Section 2(s) of I.D. Act."

(15) It was admitted by the 2nd party in their written statement dated 14-1-91 at para 4 that ;

"The Industrial Tribunal, Hyderabad had passed an award on 22-12-83 and the same has been published in Gazetted of India dated 17-6-89 but they had contended that the operation of the said award was stayed by the Hon'ble High Court of Andhra Pradesh in writ Petition No. 9783/89 filed by the Association of the 2nd party namely the Indian Banks Association."

(16) In support of his said pleadings the 1st party had marked a copy of the award passed by the Industrial Tribunal, Hyderabad in the I.D. No. 14/80 dated 22-12-88 as Ex. W7. The 1st party had also filed a xerox copy of judgement of the Hon'ble High Court of Andhra Pradesh passed in writ petition No. 9783/89 dated 28-3-87 which admittedly filed against the award in I.D. 14/80. The above said Ex. W7 would show that in a same point for a decision in a case like the case in our hand, after elaborate discussion and after adding almost all the Banks in India including the 2nd party Bank as party as per the order of Ministry of Labour, Government of India, the Industrial Tribunal of Hyderabad had categorically held that the Mini Deposit Collecting Agents were workmen under I.D. Act. The above said findings have been confirmed by Hon'ble High Court of Andhra Pradesh in admitted writ petition 9783/89 in their modified order dated 28-3-1987 (a xerox copy was filed by the 1st party). After elaborate discussion while considering the entire question on facts and law and after having discussion on many decided cases including by our Honourable Apex Court, the Hon'ble High Court of Andhra Pradesh had given a verdict in the conclusive paragraph as follows :

"Now that we find that all Deposit Collectors are only workmen and none can be absorbed as regular employees all of them have to be treated as only one category. We would hence uphold and apply the decision of the tribunal of payment of full back wages and incentive commission as well as conveyance allowance and gratuity to the Deposit Collectors as workmen. The award stands modified accordingly."

(17) Apart from verdicts of the Hon'ble High Court of Madras reported in 1990 (1) LLJ page 15 the Hon'ble High Court of Andhra Pradesh had given the following findings which could be a binding answer to the reasons stated by the 2nd party for not accepting the 1st party as a "workman" 3236 GI/97-16.

"The question whether the Tiny Depositors are workmen was considered by the Madras High Court in WA Nos. 222, 545 and 546 of 1994, where after extensive examination of the earlier decision of the same Court in the Management of the Indian Bank vs. The Presiding Officer, Industrial Tribunal (Central), Madras and Another (2. supra) the Bench reaffirmed the decision of the Deposit Collectors being workmen. We have already adverted to the decision earlier. In the Indian Bank case (2 supra), the Court had taken into consideration the different features of the job of Deposit Collectors to hold them to be workmen. They had the duty to prepare the duplicate statement of collection of the deposit amount in the collection sheets provided by the Bank, remitting the amount on the next day to the branch assigned to them. The deposit mobilisation is one of the chief functions of the bank. Opening of the account could be done only in the presence of an authorised official of the Bank though the deposit collector is permitted to receive deposits from door to door. It is the Bank official alone who can enroll the customers of the bank even if there is recommendation of the collection Agent in his favour. The nature of the work demands daily attendance of the deposit collector. He has to inform in advance if he is not in a position to collect the deposits and if he appoints a delegate, it has to be done with the prior permission of the Bank. He has also to do some clerical work like filling up relevant forms, ledgers, pass books etc. He has also to fill up the weekly collection Registers and also the Corresponding Challans. He has to pay 10 per cent out of the commission due every month towards the security. The Bank has the authority to instruct the Agent not to enroll new subscribers at any time. The fact that the Agent could terminate the Agency with a month's notice to the Bank showed that it was a contract of service. The Agent was required to produce physical fitness certificate which would not have been necessary had it only been a contract for service. Lastly, it was also a condition that the Agent is to be taken to task if any depositor closed the account within a period of two years of its opening in which event the Agent was to suffer a reduction in the commission. In the latter case the Court found such conditions also to be more or less present which persuaded it to be in entire agreement with the conclusions reached in the earlier case."

(18) Further the Hon'ble High Court of Madras while deciding a writ petition No. 1829/92 as per the judgement dated 14-12-93 and in writ petitions Nos. 2090 and 2099/92 under the judgement dated 6-1-94 had held that :

"Tiny Deposit Collectors, collecting deposits at door steps of customers are workmen as defined under the I.D. Act." (copy of the orders filed by the 1st party).

(19) Therefore, it is clear that the contentions of the 2nd party to deny the rights given to the 1st party as a workman under the I.D. Act cannot be accepted. In such circumstances from the material available on the records namely both documents filed by the management and the evidence of MW1 and WW1 I am of the opinion that the 1st party who had admittedly worked under the 2nd party as a Mini Deposit Collecting agent from to and received commission from the 2nd party is a workman as defined under Section 2(s) of the I.D. Act and the above said contention of 2nd party based on alleged contract cannot be accepted.

(20) Again the MW1 also stated in his evidence that the said contract will be available in the Branch at Manali and even in chief examination at para 3 he had specifically admitted as follows :

"the contract between the 2nd party and 1st party is in branch at Manali or Zonal office at Bangalore. I can produce subsequently."

Hence, it is needless to say that even though the responsible officer to the 2nd party namely Branch Manager in the Bank as MW1 had stated that the contract was in existence

and he would produce such a contract between the 1st party and 2nd party, the said contract had not seen the light of the day till this moment, and hence it can be legally presumed that the 2nd party want only suppressed the said document and an adverse inference can be drawn against the 2nd party. Hence, the above said contention of the 2nd party based on the alleged contract of any sort of argument to support the said contract cannot be accepted. Hence, as observed by Their Lordships in the above said judgments of Hon'ble High Court of Madras, I opine that from the records placed namely Exs. M1 to M12 and oral evidence of MW1 and MW2 and other circumstances as spoken by the witnesses would clearly establish that the 1st party was a workman under Section 2(s) of the I.D. Act and hold that Section 2(oo) (bb) of the Act will not and cannot applicable.

21. From the beginning it had been contended by the 1st party that he had been terminated without giving any proper reason and opportunities. Further the 1st party had specifically stated that the act of illegal termination of the 1st party have been supported even by notice issued by the 2nd party namely Ex. W1. The said notice dated 18-3-85 would show that the 2nd party had without any reasons to terminate the 1st party except to say that under the telephonic instructions dated 16-3-85 with Sri. A. J. Narlekar, Branch Manager who was on leave from Regional Office, the 1st party was terminated. But no particulars about the alleged telephonic instructions had been filed. Though the above said Sri. A. J. Narlekar, Branch Manager was examined as MW1 he was not even able to explain under what circumstances the termination of the 1st party was effected.

22. But as I pointed out earlier, the reason under which the 2nd party had not accepted the 1st party as their workman cannot be accepted under law. Because the wordings of the decision at paragraphs 9 and 10 reported in 1990(1) LLJ, Page 56 would run as follows :—

"Fourthly, it is in evidence that the nature of work of the second respondent demands daily attendance in Bank and deposit of the collections made by her on the prior day. Fifthly, she is obliged to inform the Bank in advance if she is not in a position to make the collections herself and when even she appoints a delegate, she must do so only with the prior permission of the Bank and she is bound to fill up relevant forms, ledgers, pass books etc. In that evidence of MW2, it is elicited that Tiny Deposit Agents have to come to the Bank every day to deposit the collections made by them and they have to fill up weekly collection Registers and also the corresponding challans. It cannot be disputed that the weekly collections registers are only in the Bank premises and they can be filled up only inside the Bank premises. Seventhly, the agent has to pay 10% out of the commission due to her every month towards the Security. Eighthly, it is in evidence that the Bank can instruct the agent not to enroll new subscribers at any time. The provision enabling the agent to terminate the agency on giving the Bank a month's notice is the ninth circumstance which goes to show that it is a contract of service. Tenthly, the agent is bound under the agreement to produce physical fitness certificate to the Bank. If it is a mere contract for service, there is no necessity for such physical fitness certificates. The eleventh circumstance is, the agent is taken to task when any depositor closes the account within a period of two years from the commencement thereof. There will be a reduction of the commission payable to the agent in that event. All the above facts will go to prove that there is sufficient control over the work of the agent by the Bank and that the agent is not an independent contractor but part of the organisation."

23. Therefore in such circumstances I am of the opinion that when the 1st party would come under the definition of workman under Section 2(s) and as armed by the representative of the 1st party and the termination of the 1st party would come under the definition of retrenchment under Section 2(oo) of the Act. Because there is no document to

show that the 1st party had committed any improper or illegal or irregular act during his tenure as Mini Deposit Collecting Agent nor the Branch Manager namely the MW1 has alleged any allegations against the 1st party and hence his termination cannot be a punishment. The 2nd party also not pleaded nor proved any sort of allegations against the 1st party in respect of his conduct, or character or the mode of work during his service period. Hence, the termination cannot be a punishment for the 1st party. Therefore, as vehemently argued by the representative of the 1st party, the termination of the 1st party could be only nothing but a retrenchment as defined under Section 2(oo) a, b, (bb) and c. Therefore, in such circumstances I hold that if the 1st party is a workman under Section 2(s) his termination must be a retrenchment under Section 2(oo) and hence I decide the 1st party is entitled to claim the entire benefit of Section 25(F) under I.D. Act. But as discussed by me above when admittedly the 2nd party had not given any opportunity before terminating the 1st party from the Bank, the 1st party is entitled for the benefits given under Section 25F of the I.D. Act. Therefore, I hold that the 1st party is entitled for an order of reinstatement in the 2nd party Bank in the post where he was working before his termination together with reasonable monetary benefits.

24. As I decided that the 1st party is entitled to get benefits of a workman under I.D. Act and as such the management is liable to reinstate the 1st party, we have to consider the back wages to be paid by the 2nd party to the 1st party. The 1st party neither in his pleadings nor in his evidence have placed any particulars towards backwages.

25. As relied on by the union representative of the 1st party in the previous case of the same nature in I.D. No. 14/88 (as per Ex. W7) the Industrial Tribunal, Hyderabad had given an award at the rate of Rs. 750 per month towards backwages for the Deposit Collector or Agents. The Hon'ble Court of Andhra Pradesh also had confirmed the above said verdict of Industrial Tribunal, Hyderabad which I have quoted supra. The Industrial Tribunal, Tamilnadu also is an Industrial dispute No. 27/1985 had given an award dated 2-8-86 following the above said Industrial Tribunal, Hyderabad fixed full back wages for a deposit collector at the rate of Rs. 750 per month (a copy of the said order was filed by the 1st party).

26. In such circumstances I am of the view that considering the entire facts and circumstances of the case and in keeping the above said decisions in mind, the 1st party is entitled for his full backwages to be calculated by the 2nd party taking into account the average commission paid to the 1st party preceding one year to the date of termination to meet both ends of justice. Apart from the cost of this proceedings from the date of registering this case till the date of passing of this award.

27. The exhibits not discussed in this award are not relevant and will not in any way affect the operation of this award.

AWARD

28. The award is passed that the action of the management of M/s. Union Bank of India in terminating the service of Sri. Veeranna S. Chandaragi, Mini Deposit Collecting Agent w.e.f. 18-3-85 is not justified and the order of termination dated 18-3-1985 is set aside and that the 2nd party is directed to reinstate the 1st party Mini Deposit Collector to the same post held by him on the date of termination with continuity of service as per the rules and terms and conditions prevailing for the said post and that the 2nd party is liable to pay full back wages at the rate to be calculated by the 2nd party, on an average amount of commission paid by the 2nd party to 1st party preceding one year to the date of termination dated 18-3-85 together with cost of Rs. 500 for this proceedings and that the arrears of full back wages must be paid by the 2nd party in lumpsum within a period of two months. Submit to Government.

29. (Dictated to P. A. transcribed by him, corrected by me and signed this 3rd day of December, 1997).

K. MOHANACHANDRAN, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

4-3-1991 is justified? If not, to what relief the workman concerned is entitled to?"

का. आ. 42.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार जेयरमैन, डिपार्टमेंटल कैंटीन एण्ड सब-पोस्ट मास्टर, मल्का गंज, दिल्ली के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एन-40012/112/93-आई.आर. (सी.यू.)]
के.वी.बी. उण्णी, डैस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 42.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chairman, Departmental Canteen and Sub-Post Master, Malka Ganj, Delhi and their workman, which was received by the Central Government on the 8-12-1997.

[No. L-40012/112/93-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I. D. No. 100/94

In the matter of dispute :

BETWEEN

Shri Hari Babu s/o. Shri Kirori Mal through General Secretary, Delhi Labour Union, Aggarwal Bhawan, G.T. Road, Tis Hazari, Delhi-110 054.

Versus

Chairman, Departmental Canteen and Sub-Post Master, Malka Ganj Post Office, Malka Ganj, Delhi-110 007.

APPEARANCES :

Shri C. P. Aggarwal : for the Workman.
Shri V. S. Tyagi : for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/112/93-I. R. (D. U.), dated 24-8-1994 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the Chairman, Departmental Canteen and Sub-Post Master Malka Ganj, Delhi in terminating the service of Shri Hari Babu S/o. Shri Kirori Mal w.e.f.

2. It has been brought to my notice by the representative of the Management that the Hon'ble Supreme Court has in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. declared P & T Department Telecommunication being not an 'Industry'.

3. The representative for the workman has, however referred to 1978 S.C.C. (L & S) 215 Bangalore Water Supply and Sewerage Board Ltd. Vs. A. Rajappa and others in which Section 2(j) of the I. D. Act reads as under :—

"Section 2(j) of the Industrial Disputes Act, 1947 defines industry to mean any business, trade, undertakings, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workmen. On the question as to what falls within and what falls outside the statutory concept of 'Industry'.

4. The ruling referred by the I.D. representative for the workman is of the year 1978 while the Hon'ble Supreme Court in its latest judgment of 1996 LLR 483 held as follows :—

"Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

5. In view of this situation since the management is not an industry so the reference under section 10 I. D. Act is not maintainable, to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

Dated : 1st December, 1997.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 8 दिसम्बर, 1997

का. आ. 43.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विदेश संचार मिंगम लि., देहरादून के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एन-40012/132/91-डो-2(बी)]
के.वी.बी. उण्णी, डैस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 43.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Videsh Sanchar Nigam Ltd., Dehradun and their workman, which was received by the Central Government on the 8-12-1997.

[No. L-40012/132/91-D. 2 (B)]

K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I. D. No. 7/92.

In the matter of dispute :

BETWEEN

Shri Sohan Singh Rawat S/o. Shri Ranjeet Singh, Village Nadpur, P. O. Raipur, District Dehradun, U. P.

Versus

Deputy General Manager (D. U.)
Videsh Sanchar Nigam Limited,
Ahmad Upgrah Lachhiwala,
P. O. Doiwala, District
Dehradun—248140. U.P.

APPEARANCES :

Shri Vitendar Bhandari : for the Workman.

Shri S. D. Mohan : for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/132/91-D.2(B) I. R. (D.U.), dated 6-1-1992 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Videsh Sanchar Nigam Limited, Dehradun in terminating the services of Sohan Singh Rawat S/o. Shri Ranjeet Singh w.e.f. 31-5-1990 is legal and valid ? If not, to what relief the workman is entitled to ?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. laid down the law regarding P. & T. Department Telecommunication being not an 'Industry' it was held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide

telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10 I. D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

Dated : 1st December, 1997.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 8 दिसम्बर, 1997

का. आ. 44.—औद्योगिक विवाद श्रमनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विदेश संचार निगम लि. देहरादून के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[अ. म. ल. 40012/133/91-डी2(बी)]

के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 44.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Videsh Sanchar Nigam Ltd., Dehradun and their workman, which was received by the Central Government on 8-12-1997.

[No. L-40012/133/91-D2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 3/92

In the matter of dispute :

BETWEEN

Shri Beg Raj Singh S/o Shri Rurey Singh
C/o Shri R. P. Goyle,
117, Chander Nagar,
Dehradun.

Versus

Deputy General Manager (D.U.),
Videsh Sanchar Nigam Limited,
Ahmad Satellite Earth Station
Lachhiwala.

P.O. Doiwala (Dehradun)-248140.

APPEARANCES:

Shri R. P. Goyle—for the workman.
Shri S. D. Mohan—for the Management.

AWARD

The Central Government in the Ministry of Labour vide order No. L-40012/133/91-D. 2(B) dated 18-12-91 has referred the following industrial dispute to this Tribunal for adjudication:—

“Whether the action of management of Videsh Sanchar Nigam Ltd., Dehradun in terminating the services of Shri Begraj Singh S/o Shri Rurey Singh w.e.f. 15-3-91 is justified? if not, what relief he is entitled to?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. laid down the law regarding P & T department/Telecommunication being not an 'Industry' it was held as follows:—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10-I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate Court or forum for redressal of their grievance according to law. Parties are left to bear their own costs. 1st Dec. 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का. आ. 45.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार चैयरमैन/पोस्ट मास्टर, डिपार्टमेंटल कंस्टीन मल्का गंज पोस्ट आफिस, दिल्ली के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एल-40012/168/94-आई आर (डीयू)]
के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S. O. 45.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management

of Chairman/Post Master, Deptt. Canteen, Malka Ganj Post Office, Delhi and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/168/94-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 103/95

In the matter of dispute :

BETWEEN

Shri Ashok Kumar S/o Shri Babu Ram
c/o Delhi Labour Union, Aggarwal Bhawan,
G.T. Road, Tis Hazari, Delhi-54.

Versus

Chairman, Post Master,
Vibhagya Canteen, Malka Ganj Post Office,
Delhi-110007.

APPEARANCES:

Shri C. P. Aggarwal—for the workman.
Shri B. D. Gupta—for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/169/94-I.R.(D.U.) dated 17/30-11-95 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the Chairman/Post Master, Departmental Canteen, Malka Ganj Post Office, Delhi in terminating the service of Shri Ashok Kumar w.e.f. 9-3-89 is justified? If not, what relief the concerned workman is entitled to?”

2. It has been brought to my notice by the representative of the Management that the Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs Theyyam Joseph etc. has declared that the P & T department/Telecommunication is not an 'Industry'.

3. The representative for the workman has, however, referred to 1978 S.C.C. (L & S) 215 Bangalore Water-Supply & Sewerage Board Ltd. v. A. Rajappa & others in which Section 2(j) of the I.D. Act reads as under:—

“Section 2(j) of the Industrial Dispute Act, 1947 defines industry to mean any business, trade, undertakings, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workmen. On the question as to what falls within and what falls outside the statutory concept of 'Industry'.

4. The ruling referred by the Ld. representative for the workman is of the year 1978 while the Hon'ble Supreme Court in its latest judgment of 1996 LLR 483 held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One

of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a Welfare State. It is, not, therefore, an industry”

5. In view of this situation since the management is not an industry so the reference under section 10 I.D. Act is not maintainable, to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.आ. 46.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.टी.एन.एल. नई दिल्ली के प्रबन्ध के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-12-97 को प्राप्त हुआ था।

[सं. एल-40012/171/94-आई आर (डी यू)]
के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 46.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.T.N.L. Ltd., New Delhi and their workman, which was received by the Central Government on 5-12-97.

[No. L-40012/171/94-IR(DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,

NEW DELHI

I.D. No. 2/95

In the matter of dispute :

BETWEEN

Smt. Shakuntla Devi W/o Shri Veer Singh,
r/o. 16/397, Trilok Puri, New Delhi,
c/o. M.T.N.L. Shramik Union (Regd.) 6, CWC,
Lodhi Road,
New Delhi-110003.

Versus

M/s. Mahanagar Telephone Nigam L.T.P through the Assistant Engineer Cables, Delhi Gate, Telephone Exchange 212, Asaf Ali Road, New Delhi-110002.

APPEARANCES :

Shri H. R. Tewari—with the workman.
Shri Dinesh Agnani—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/171/94-I.R. (DU) dated 8-12-97 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of MTNL in terminating the services of Smt. Shakuntla Devi w.e.f. 8-1-92 is justified and legal ? If not what relief the worker concerned is entitled to ?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. laid down the law regarding P&T department/Telecommunication being not an 'Industry'. It was held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10 I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.
1st Dec. 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.आ. 47.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.ई.टी. अलीगढ़ के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एल-40012/193/92-आई आर (डी यू)]
के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 47.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/193/92-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,

NEW DELHI

I.D. No. 35/94

In the matter of dispute :

BETWEEN

Shri Murl Singh S/o. Shri Chatter Singh,
through Shri V. K. Gupta, 2/363-Namner,
Agra (U.P.)-282001.

Versus

D.E.T. Door Sanchar Vibhag,
Aligarh-202001.

APPEARANCES :

Workman in person.
Shri Kayam Singh—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/193/92-I.R. (D.U.) dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of D.E.T. Aligarh in terminating the services of Shri Murl Singh s/o. Shri Chatter Singh is legal and justified ? If not, what relief the workman concerned is entitled to ?"

2. The case was fixed for arguments when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

"Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an "Industry". The Industrial Disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

1st Dec. 1997

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 8 दिसम्बर, 1987

का.ग्रा. 48— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एल-40012/195/92-आई ग्रा. (डी यू.)]

के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi. the 8th December, 1997

S.O. 48.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/195/92-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL,

NEW DELHI

I. D. No. 47/94

In the matter of dispute :

BETWEEN

Shri Kanti Pd. s/o late Shri Dhani Ram,
r/o Pali Razapur, Distt. Aligarh.

Versus

D.E.T. Telecommunication U.P.,
Aligarh.

APPEARANCES :

Workman in person.
Shri Kayam Singh—for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/195/92-I.R.D.U. dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of D.E.T. Aligarh in terminating the services of Shri Kanti Pd. s/o Shri Dhani Ram is legal and justified ? If not, what relief he is entitled to ?"

2. The case was fixed for award when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

"Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of this grievance. The parties are left to bear their own Courts.

1st December, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.ग्रा. 49— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एल-40012/198/92-आई ग्रा. (डी यू.)]

के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 49.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on the 8-12-1997.

[No. L-40012/198/92-I.R. (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER : CENTRAL GOVT. INDUSTRIAL TRIBUNAL :

NEW DELHI

I.D. No. 41/94

In the matter of dispute between :
Shri Ram Kumar S/o Malkhan through
Shri V. K. Gupta 2/363, Namner, Agra (U.P.)

Versus

D.E.T. Telecommunication Deptt.

Aligarh-202001.

APPEARANCES : Shri Ram Kumar in person.
Shri Kayam Singh for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/198/92-I.R. (D.U.) dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of D.E.T., Aligarh in terminating the services of Shri Ram Kumar S/o Malkhan is legal and justified? If not, what relief he is entitled to?"

2. The case was fixed for arguments when the representative for the management has brought to my notice a judgment of Honble Supreme Court of India reported in 1996 I.L.R. 483 in which it was held as follows :—

"Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public an amenity and so is one essential part of the sovereign functions of the State as welfare State. It is not, therefore, an industry."

3. In view of this situation the management is covered under the judgment of the Honble Supreme Court and as such is not an "Industry". The Industrial disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 8 दिसम्बर, 1997

का.प्र. 50—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को

प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था ।

[स. एन-40012/199/92-आई.आर. (डी यू)]

के. वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 50.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/199/92-I.R.(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 36/94

In the matter of dispute :

BETWEEN

Shri Jitender Pal Singh,
S/o. Shri Vijay Pal Singh,
through Shri V. K. Gupta,
2/363, Namner, Agra (U.P.).

Versus

D.E.T. Door Sanchar Nigam,
Aligarh-202001.

APPEARANCES :

Shri Jitender Pal Singh in person.

Shri Kayam Singh for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/199/92-I.R. (D.U.), dated 6-5-96 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of D.E.T., Aligarh in terminating the services of Shri Jitender Pal Singh S/o Shri Vijay Pal Singh is legal and justified? If not, what relief he is entitled to?"

2. The case was fixed for arguments when the representative for the management has brought to

my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

“Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry.”

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an “Industry”. The Industrial disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this Court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

1st December, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.आ. 51:—औद्योगिक विवाद अधिनियम, 1947 (1947 की 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री.ई.टी., अलीगढ़ के प्रबन्ध के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एन-40012/201/92-आई आर (डी यू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 51.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/201/92-IR(DU)]
K. V. B. UNNY, Desk Officer
ANNEXURE

BEFORE SHRI GANPATI SHARMA,
INDUSTRIAL TRIBUNAL, NEW DELHI
PRESIDING OFFICER, CENTRAL GOVT.

I.D. No. 42/94

In the matter of dispute :

3236 GI197—17.

BETWEEN

Shri Alijan Mohd.,
S/o. Shri Noor Mohd.,
R/o. Village Pali Razapur,
Post Pali Razapur,
Distt. Aligarh.

Versus

D.E.T. Door Sanchar Nigam,
Aligarh-202001.

APPEARANCES :

Workman in person.

Shri Kayam Singh for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/201/92-I.R. (D.U.), dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of D.E.T. Aligarh in terminating the services of Shri Ali Jan Mohd. is legal and justified? If not, what relief he is entitled to?”

2. The case was fixed for arguments when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

“Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry.”

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an “Industry”. The Industrial disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this Court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

1st December, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का. प्र. 52.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुसूच में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाद को प्रकाशित करती है जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एन-40012/203/92-आईओर (डीयू)
के.वी.बी., उष्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 52.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/203/92-I.R.(D.U.)
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 46/94

In the matter of dispute :

BETWEEN

Shri Omveer Singh,
S o. Shri Pritam Singh,
through Shri V. K. Gupta,
2/363, Namber, Agra (U.P.).

Versus

D.E.T. Door Sanchar Vibhag,
Aligarh-202001.

APPEARANCES :

None—for the workman.
Shri Kayam Singh—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/203/92-LR (D.U.), dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of D.E.T. Aligarh in terminating the services of Shri Omveer Singh is legal and justified? If not, what relief he is entitled to?"

2. The case was fixed for arguments when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

"Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry."

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an "Industry". The Industrial disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this Court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

1st December, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का. प्र. 53.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुसूच में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एन-40012/206/92-आईओर (डीयू)
के.वी.बी., उष्णी, डेस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 53.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on 8-12-97.

[No. L-40012/206/92-IR(DU.)
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 49/94

In the matter of dispute :

BETWEEN

Siri Khem Singh,
S/o. Shri Bhooma Singh,
through Shri V. K. Gupta,
2/363, Nemnor, Agra (U.P.).

Versus

D.E.T. Door Sanchar Vibhag,
Aligarh-202001.

APPEARANCES :

None—for the workman
Shri Kayam Singh—for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/200/92-I.R. (D.U.), dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of D.E.T. Aligarh in terminating the services of Shri Khem Singh S/o. Shri Bhooma Singh is legal and justified? If not, what relief he is entitled to?”

2. The case was fixed for arguments when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

“Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide **telecommunication service** to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry.”

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an “Industry”. The Industrial Disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this Court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal

of his grievance. The parties are left to bear their own costs.

1st December, 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 8 दिसम्बर, 1997

का.अ. 54 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डी.ई.टी., अलीगढ़ के प्रबन्धन के संबद्ध विभागों और उनके कर्मचारों के बीच, अनुवन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिवक्त्रण, नई दिल्ली, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[सं. एल-40012/234/92/आई आर (डी.यू.)]
के.वा.बो. उण्णो, डैस्क अधिकारी

New Delhi, the 8th December, 1997

S.O. 54.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of D.E.T., Aligarh and their workman, which was received by the Central Government on the 8th December, 1997.

[No. L-40012/234/92-IR(D.U.)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 34/94

In the matter of dispute :

BETWEEN

Shri Chandar Bhan S/o Shri Ganga Dutt Singh,
through Shri V. K. Gupta, 2/383, Nem-
ner, Agra (U.P.)-282001.

Versus

D.E.T.

Door Sanchar Vibhag,
Aligarh-202001.

APPEARANCES :

Shri Chander Bhan—in person.
Shri Kayam Singh—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/234/92-I.R. (D.U.) dated 5-5-94 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of D.E.T. Aligarh in terminating the services of Shri Chandra Bhan s/o Sh. Ganga Dutt Singh is legal and justified ? If not, what relief he is entitled to ?”

2. The case was fixed for award when the representative for the management has brought to my notice a judgment of Hon'ble Supreme Court of India reported in 1996 LLR 483 in which it was held as follows :—

“Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry.”

3. In view of this situation the management is covered under the judgment of the Hon'ble Supreme Court and as such is not an “Industry”. The Industrial Disputes Act would not apply in this case. On this ground alone the reference made by the Government is dismissed as this court has got no jurisdiction. However, workman is at liberty to approach the appropriate authority for redressal of his grievance. The parties are left to bear their own costs.

1st Dec., 97.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 55.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीग्राम डिपार्टमेंट, सिकन्दराबाद (उ.प्र.) के प्रबन्धतंत्र के सबब नियोजकों और उनके कर्मचारों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पत्राट को प्रकाशित करती है, जो केन्द्रीय सरकार का 12-12-97 को प्राप्त हुआ था।

[सं. नं. 40012/1/98-डी 2(बी)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 55.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award

of the Central Government Industrial Tribunal New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Deptt. of Telecom., Secundrabad (U.P.) and their workman, which was received by the Central Government on 12-12-97.

[No. L-40012/1/88-D. 2(B)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 149/89

In the matter of dispute :

BETWEEN

Shri Ram Singh s/o Shri Shankar,
r/o village Khaguvabas,
P.O. Secundrabad, Distt. Bulandshahar
(U.P.).

Versus

Divisional Engineer,
Telecom., Satellite Maintenance,
Satellite Earth Station, Secundrabad
(U.P.).

APPEARANCES :

Shri Pyare Lal—for the workman.

Shri B..S. Premi—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/1/88-D. 2(B) dated 2nd May, 89 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of D. E. T. Satellite Maintenance, Satellite Earth Station, Secundrabad (U.P.) in terminating the services of Shri Ram Singh Driver w.e.f. 5-8-86 is justified ? If not to what relief the workman is entitled to ?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. laid down the law regarding P & T Department Telecommunication being not an ‘Industry’ it was held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide Telecommunication service to

the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

3. In view of this situation since the management is not an industry so the reference under section 10 of the I. D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for the redressal of their grievance according to law.

Parties are left to bear their own costs.

1st Dec., 1997

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 56.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकाम डिस्ट्रिक्ट इंजीनियर, रोहताक के प्रबंधन के संबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[सं. एल-40012/21/90-आई आर (डी.यू.)]
के. वी. वी. उण्णी, डैस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 56.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecommunication District Engineer, Rohtak and their workman, which was received by the Central Government on the 12th December, 1997.

[No. L-40012/21/90-IR(DU)]

K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 137/90

In the matter of dispute :

BETWEEN

Shri Ramu s/o Shri Teka Ram,
House No. 449/1, Ward No. 19,
Durga Colony, Rohtak,

Versus

Telecom District Engineer,
Department of Telecommunication,
Rohtak.

APPEARANCES :

Note—for the workman.

Sari B. K. Saini, Senior T.O.—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/21/90-I.R. (D.U.) dated 22nd/30th November, 1990 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the Telecommunication District Engineer, Rohtak in terminating the services of Shri Ramu, s/o Shri Teka Ram, Casual Worker w.e.f. 1st April, 1988 is just, fair and legal? If not, to what relief the concerned workman is entitled to?"

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaidikam and others vs. Theyyam Joseph etc. laid down the law regarding P&T Department/Telecommunication being not an 'Industry'. It was held as follows :

"Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

3. In view of this situation since the management is not an industry so the reference under section 10 I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

1st December, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 57.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम.टी.एन.एल., नई दिल्ली के प्रबंधन के संबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[सं. एल-40012/50/90/आईआर (डी.यू.)]
के. वी. वी. उण्णी, डैस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 57.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.T.N.L., New Delhi and their workman, which was received by the Central Government on the 12th December, 1997.

[No. L-40012/50/90-IR (DU)]
K.V.B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 138/90

In the matter of dispute :

BETWEEN

Shri Shiv Dutt s/o Shri Sohan Lal, Beldar
c/o Delhi Labour Union, Aggarwal
Bhawan, Tis Hazari, G.T. Road, Delhi-
110054.

Versus

Mahanagar Telephone Nigam Limited
through its General Manager, Kidwai
Bhawan, Janpath, New Delhi-110001.

APPEARANCES :

Shri C. P. Aggarwal—for the workman.
None—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/58/92-IR (DU) dated 20th/25th November, 1990 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the M.T.N.L., New Delhi in terminating the services of Shri Shiv Dutt w.e.f. 22nd December, 1987 is justified? If not, to what relief the workman is entitled to?"

2. The Management representative has brought to my notice that the Hon'ble Supreme Court has in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theviam Joseph etc. has declared that the P&T Department/Telecommunication is not an 'Industry'.

3. The representative for the workman has, however, referred to 1978 S.C.C. (L&S) 215 Bangalore Water Supply & Sewerage Board Ltd. Vs. A. Rajappa & Others in which Section 2(j) of the I.D. Act reads as under :—

"Section 2(j) of the Industrial Disputes Act, 1947 defines industry to mean any business, trade, undertakings, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workman. On the question as to what falls within and what falls outside the statutory concept of 'Industry'."

4. The ruling referred by the Ld. representative for the workman is of the year 1978 while the Hon'ble Supreme Court in its latest judgment of 1996 LLR 483 held as follows :—

"Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry."

5. In view of this situation since the management is not an industry so the reference under section 10 I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

1st December, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.ग्रा. 58.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार एम.टी.एन.एल., नई दिल्ली के प्रबन्धकों के संबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली, के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[सं. एल-10012/58/92-2आई ग्रा (डी यू)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 58.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.T.N.L., New Delhi and their workman, which was received by the Central Government on the 12th December, 1997.

[No. L-40012/58/92-IR (DU)]
K.V.B. UNNY, Desk Officer

ANNEXURE

**BEFORE SHRI GANPATI SHARMA, PRESID-
ING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, NEW DELHI**

I.D. No. 50/93

In the matter of dispute :

BETWEEN

Shri Kapil Dev Tewari through
Dharamraj Singh,
Divisional Secretary,
Bhartiya Mahanagar Telephone Nigam
Karamchari Sangh, T-15, Atul Grove Road,
New Delhi-110001.

Versus

Deputy General Manager,
Mahanagar Telephone Nigam Ltd.,
Kidwai Bhawan, First Floor,
New Delhi-110001.

APPEARANCES :

Workman—in person.
None—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/58/92-IR(DU) dated 21st July, 1993 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of MTNL in not designating Shri Kapil Dev Tewari as an Office Asstt. w.e.f. the date of his appointment or thereafter is justified? If not, what relief he is entitled to?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaidikam and others Vs. Thevann Joseph etc. laid down the law regarding P&T Department/Telecommunication being not an 'Industry' it was held as follows :

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a Welfare State. It is not, therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10 of the I.D. Act is not maintainable to

this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का आ. 59 —औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एम.टी.एन.एल. नई दिल्ली के प्रबन्धन के सबख नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था ।

[स. एल-40012/61/94-आई आर (डीयू)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 59.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.T.N.L., New Delhi and their workman, which was received by the Central Government on the 12-12-97.

[No. L-40012/61/94-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

**BEFORE SHRI GANPATI SHARMA, PRESID-
ING OFFICER, CENTRAL GOVT. INDUS-
TRIAL TRIBUNAL, NEW DELHI**

I. D. No. 56/95

In the matter of dispute :

BETWEEN

Shri Ram Rattan s/o Shri Kanahaya Lal
through Delhi Labour Union,
Aggarwal Bhawan, G.T. Road,
Tis Hazari, Delhi.

Versus

Mahaprabandhak,
Mahanagar Telephone Nigam Ltd.,
Khurshid Lal Bhawan, New Delhi.

APPEARANCES :

Shri C. P. Aggarwal for the workman.
None for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012|61|94-I.R. (D.U.) dated 5-5-95 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of MTNL, New Delhi in terminating the services of Shri Ram Rattan is legal and justified? If not, to what relief the workman is entitled to?”

2. It has been brought to my notice by the representative for the Management that the Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. has declared that the P&T department/Telecommunication is not an “Industry”.

3. The representative for the workman has, however, referred to 1978 S.C.C. (L&S) 215 Bangalore Water-Supply & Sewerage Board Ltd. Vs. R. Rajappa & Others in which Section 2(j) of the I. D. Act reads as under :—

“Section 2(j) of the Industrial Disputes Act, 1947 defines industry to mean any business, trade, undertakings, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation of workman. On the question as to what falls within what falls outside the statutory concept of “industry.”

4. The ruling referred by the I.D. representative for the workman is of the year 1978 while the Hon'ble Supreme Court in its latest judgement of 1996 LLR 483 held as follow :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry.”

5. In view of this situation since the management is not an industry so the reference under section 10 I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

GANPATI SHARMA, Presiding Officer
1st December, 1997,

नई दिल्ली, 12 दिसम्बर 1997

* का० आ० 60.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वये, केन्द्रीय सरकार पृ०म०टी०ए०ए०, नई दिल्ली के प्रबन्धन के संयुक्त नियोजकों और उनके कर्मचारों के बीच अनुवन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[सं० पृ०-10012/62|90-आई०आर० (डी०यू०)]

के० बी० बी० उपा०, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 60.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M.T.N.L., New Delhi and their workman, which was received by the Central Government on 12-12-97.

[No. L-40012|62|90-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 59/91

In the matter of dispute :

BETWEEN

Shri Virender Kumar through
Circle Sachiv,
Bhartya Mahanagar Telephone Nigam
Karamchari Sangh (Regd.),
T. Atul Grove Road, New Delhi-110001.

Versus

The Management of Mahanagar Telephone Nigam Ltd.,

D.E. PCM (N), Karol Bagh Telephone Exchange,
4th Floor, Karol Bagh,
New Delhi-110005.

APPEARANCES :

Workman in person.
None for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/62/90-I.R. (D.U.) dated 19-4-91 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Mahanagar Telephone Nigam Ltd., in terminating the services of Shri Virender Kumar w.e.f. 6-3-88 is justified? If not, what relief he is entitled to and from what date?”

2. The Hon'ble Supreme Court in case 1996 LLR 443 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Joseph etc. laid down the law regarding P&T department/Telecommunication being not an 'Industry' it was held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide Telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10 of the I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

Dated : 2-12-1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

कां०आ० 61.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार पोस्टल डिपार्टमेंट, मेरठ के प्रबन्धन के संबंध में निदेशों और उनके कर्मचारियों के बीच, अन्वय में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[सं० एल० 40012/73/96-प्रार० आई० (डी०यू०)]

क०वी०वी० उष्णी, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 61.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, 3236 GI/97—18.

New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Postal Deptt. Meerut and their workman, which was received by the Central Government on 12-12-1997.

[No. L-40012/73/96-IR (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 101/97

In the matter of dispute :

Shri Mukesh Dutt Sharma
C/o Shri Jai Narain Sharma,
Vill. & Post Kasthala Shamsher Nagar,
Meerut.

Versus

Senior Superintendent of Post Offices,
Meerut Division, Meerut.

APPEARANCES :

Shri Jai Narain Sharma for the workman.
Shri Hari Singh P.R.I. for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/73/96-I.R. (D.U.) dated 9-7-97 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Postal Deptt. in removing the workman Shri Mukesh Dutt Sharma from the services is just fair and legal? If not, to what relief the workman is entitled?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vaikam and others Vs. Theyyam Josheph etc. laid down the law regarding P&T department/Telecommunication being not an 'Industry' it was held as follows :—

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not therefore, an industry.”

3. In view of this situation since the management is not an industry so the reference under section 10 of the I. D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

Dated : 1-12-1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 62.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.ओ.सी.-बी. (एम.), एम.टी.एन.एल., नई दिल्ली के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-12-97 को प्राप्त हुआ था।

[नं. एल. 40012/100/89-डी. 2(बी.)]

के.वी.बी. उण्णी, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 62.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of C.O.C.-V(S), M.T.N.L., New Delhi and their workman, which was received by the Central Government on 12th December, 1997.

[No. L-40012/100/89-D. 2(B)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 19/90

In the matter of dispute :

Shri Ram Kishan, s/o Shri Roop Lal,
r/o Village & P.O. Gharrot,
District Faridabad, Haryana.

Versus

C.O.C.-V(S),

M.T.N.L. C-28, Community Centre,
Naraina, New Delhi.

APPEARANCES :

Workman—in person.

None—for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-40012/100/89-D 2(B) dated nil has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of COC-V(S) MTNL in stopping Shri Ram Kishan daily rate workman to join duty w.e.f. 29th December, 1988 is justified? If not what relief the workman is entitled to?”

2. The Hon'ble Supreme Court in case 1996 LLR 483 Sub-Divisional Inspector of Posts, Vairam and others Vs. Theyyam Joseph etc. laid down the law regarding P&T department/Telecommunication being not an 'Industry' It was held as follows :

“Held Directive principles of State policy enjoin on the State diverse duties under Part IV of the Constitution and the performance of the duties are constitutional functions. One of the duty is of the State to provide telecommunication service to the general public and an amenity and so is one essential part of the sovereign functions of the State as a welfare State. It is not, therefore, an industry.”

3. In view of this situation since the Management is not an industry no reference under section 10 of the I.D. Act is not maintainable to this Tribunal. However, parties are at liberty to approach any appropriate court or forum for redressal of their grievance according to law. Parties are left to bear their own costs.

1st December, 1997.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 10 दिसम्बर, 1997

का.आ. 63.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, आन्ध्रा बैंक के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, भुवनेश्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-12-97 को प्राप्त हुआ था।

[सं. एल-12 / 393/91/आई.आर.बी.-II]
बी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 10th December, 1997

S.O. 63.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Andhra Bank and their workman, which was received by the Central Government on 10-12-1997.

[No. L-12012/393/91-IR(B-II)]

P. J. MICHAEL, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL: ORISSA: BHUBANESWAR:

PRESENT:

Sri M. R. Behera, O.S.J.S. (Sr. Branch),
Presiding Officer, Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 19 of 1992 (Central)

Dated, Bhubaneswar, the 3rd December, 1997

BETWEEN:

The management of Andhra Bank,
Regional Office,
5, Satyanagar, Bhubaneswar.

.....First Party-Management.

(And)

Their workman Sri Jagannath Biswal,
C/o: Ram Chandra Biswal,
Panchayatiraj Department,
Orissa Secretariate,
Bhubaneswar.

.....Second Party-Workman

APPEARANCES:

Sri B. C. Bastia, Advocate — For the First Party-
Management.

Sri A. K. Das, Advocate — For the Second Party-
Workman.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (d) of sub-section (1) & sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), have referred the following dispute for adjudication vide their Order No. L-12012/393/91-IR(B.II) dated 20-4-92:

"Whether the action of the management of Andhra Bank is justified in not offering further employment to Sh. Jagannath Biswal, Sub-staff? If not, to what relief he is entitled to?"

2. Jagannath Biswal, the second party-workman has filed his claim statement on the averment that:

He attended the interview to fill-up the position of 'sub-staff' in Andhra Bank with Trinath Pradhan and Artatrana Kar. All of them were selected and joined the assignment. The second party-workman was appointed intermittently in different branches of Andhra Bank and has worked for 489 days from 19-11-86 to 6-10-89. Suresh Kumar Mohanty and Kanduri Charan Naik, who were engaged intermittently as 'sub-staff' during 1987-88 have been allowed to be engaged as 'sub-staff' with Trinath Pradhan and Artatrana Kar. Trinath Pradhan and Artatrana Kar have been absorbed as regular 'sub-staff' from 1990.

Although on 9-1-95 by a settlement temporary sub-staffs working from 1-1-82 to 31-12-89 who have worked for 90 days have been allowed to be eligible for appointment as permanent 'sub-staff', but the second party-workman was discriminated by way of disengagement on the ground of his over qualification, more specifically that he has passed Class-VIII. The discrimination is required to be redressed by payment of back wages from 6-10-89.

3. The first party-management has filed its written statement on the averment that:

The management maintains a panel of temporary sub-staffs after selecting candidates sponsored by the employment exchange. The selected qualified candidates are given specific temporary appointment for a specific period. The empanelled candidates are re-appointed afresh whenever and wherever exigencies arise. The second party-workman has not worked for a continuous period of 240 days within the scope of Section 25-B of the Industrial Disputes Act to enable the second party-workman to claim to be inducted as a 'sub-staff' within his own right. The second party-workman was over qualified having passed Class-VIII, therefore, was not eligible to be empanelled as a 'sub-staff' of course by a tripartite settlement with the All India Award Employees' Union on 9-1-95 possessing of higher educational qualification has been waived for the empanelment of temporary 'sub-staff'.

The first party-management has never denied to give engagement to the second party-workman against leave vacancies. The mode of engagement depends upon suitability and availability of vacancies and availability of the second party-workman at site to render services and it cannot be a matter of right of the second party-workman to get engagement. No seniority can be maintained for such job because of the emergent recruitment to the job, otherwise the purpose of engagement will be frustrated away.

Consistent to the settlement, the second party-workman was to furnish an undertaking to the effect that he has to withdraw the dispute, if any, pending in any Court before considering the case for such empanelment, the second party-workman has not observed the requirement.

4. On the rival contentions of the parties, the following issues have been framed:

ISSUES

1. Is the action of the management of Andhra Bank justified in not offering further employment to Shri Jagannath Biswal, sub-staff?
2. To what other relief, if any, the workman is entitled to?
3. Whether the second party-workman has completed 240 days of work to constitute one year of continuous service under Section 25-B of the I.D. Act?
4. Whether the settlement provides for any status to the workman for automatic empanelment as permanent sub-staff?
5. The first party-management has not cited any witness on its behalf, choosed to argue the case on the materials on record.

ISSUE NO. 1:

6. In Paragraph 6(d) & (e) the first party-management has pleaded that the second party is empanelled under leave vacancy of temporary sub-staff which the second party failed to avail at site like other empanelled sub-staff, and that the first party-management has never denied to give employment against leave vacancies depending upon suitability, availability of the second party-workman at site. From this pleading, that the second party-workman was initially empanelled as a 'sub-staff' to fill-up leave vacancies has also been admitted by the first party-management. In its pleading filed on 23-8-95 at paras-7 & 7(a), the first party-management has in equivocal tone pleaded that on 9-1-95 by a tripartite settlement at the head office level, possessing of higher educational qualification then prescribed for recruitment of sub-staff shall not be a ground for disqualification for absorption. There seemed no other impediment much less pleaded by the first party-management for the engagement of the second party-workman as a 'sub-staff'.

The plea of the second party-workman that Suresh Kumar Mohanty and Kanduri Charan Naik were selected during 1987-88, subsequent to the engagement of the second party-workman, and both of them have been allowed to be engaged as 'sub-staff', has not been rebutted by placing adequate materials. Similarly, the plea of the

second party-workman that Trinath Pradhan & Artatrana Kar were also selected with the second party-workman and were working with the second party-workman and have been absorbed as regular sub-staff since June, 1990, has also not been rebutted by the first party-management. According to the second party-workman he worked as a sub-staff on casual basis from 19-11-86 to 6-10-89 and was working as a substitute of other permanent employees. According to the second party-workman, his spell of appointment was for a month or less than a month as then the circumstance was demanding. If the subsequent engaged persons, namely, Suresh Kumar Mohanty and Kanduri Charan Naik have been appointed as 'sub-staff' employees, there is no reason why the second party-workman will be deprived from the engagement even after the waiver of over qualification in the settlement dated 9-1-95.

ISSUE NO. 3 :

7. In paragraph 6(d) and (e) the first party-management has pleaded that the second party-workman is empanelled under leave vacancy of temporary sub-staff which the second party failed to avail at site like other empanelled sub-staff, and that the first party-management has never denied to give employment against leave vacancies depending upon suitability, availability of the second party-workman at site. On a plain reading of Section 25-B(i) of the Industrial Disputes Act, it has not been elicited from the second party-workman that the cessation of work for any day was due to the fault on the part of the second party-workman. It is an unfair labour practice to give engagement to several persons providing intermittent breaks in their services lest the workmen will not be able to complete 240 days period. A progressive legislation should be liberally construed and interpreted. The management has not elicited materials that the second party-workman has not completed 240 days by deliberate cessation of work by him, or that the second party-workman defaulted in the work at any time to attribute fault on the part of the second party-workman. In the circumstance, the second party-workman can be said to have completed 240 days of work constituting one year of continuous service within the scope of Section 25-B of the Industrial Disputes Act. Issue No. 3 is answered in favour of the second party-workman.

ISSUE NO. 4 :

8. Ext. 2 is a circular bearing No. 310 dt. 18-10-91. This circular is an embodiment of the terms required for the post of 'sub-staff', besides for other cadres. Under Sl. No. 1 and 5, special provision has been made for empanelment of eligible persons who have worked in sub-staff cadre for 90 days or more subsequent to 1-1-82. Ext. 4 goes to show the span of engagement of the second party-workman under the first party-management from 19-11-86 to 6-10-89. Ext. 2 has more force. Ext. 4 has not been challenged. In 1987, 1988 and 1989 the second party-workman has worked for 121 days, 175 days and 164 days respectively, a term beyond 90 days at contemplated in Ext. 2, therefore, the second party-workman should have been empanelled. In the last but one para of Ext. 2 it has also been mentioned that "eligible candidates shall submit filled-in application form to one of the branches/offices of the Bank where they have earlier worked" as sub-staff. The second party-workman examined as W.W. No. 1 has not breathed a word either in the pleading or in his evidence that he had submitted filled-in application in any of the branches/offices. In absence of submission of application in any of the branches of the bank where the second party-workman has worked, it cannot be assumed that the second party-workman has fulfilled his own obligation envisaged under Ext. 2. In absence of compliance to the obligation envisaged in Ext. 2, it cannot be said that the second party-workman would be automatically empanelled as a permanent 'sub-staff' under the first party-management. Issue No. 4 is decided against the second party-workman.

ISSUE NO. 2 :

9. As have been submitted by the parties, 'sub-staff' employees are not permanent employees of the Bank. For the claim of the second party-workman to be included in the panel, the only obstacle of over qualification seemed to be non-existent now. However, as held in Issue No. 4 a person cannot be allowed to claim any relief for his own wrong. In that view of the matter taking a considerate view

within the scope of Section 11-A of the Industrial Disputes Act, the non-submission of application by the second party-workman is condoned as the second party-workman has been over-aged by now while expecting a job assignment from the first party-management. In the circumstance, the second party-workman should be engaged as a 'sub-staff' without any back wages.

10. In the net, the action of the first party-management in not offering further employment to the second party-workman is held to be not justified. The second party-workman should be engaged as a 'sub-staff' within two months from the date of publication of this Award, but without any back wages.

The reference is answered and the Award is passed.

Dictated & corrected by me.

M. R. BEHERA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 64.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस सी सी एल. के प्रबंधन के सबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-97 को प्राप्त हुआ था।

[संख्या एल-22012/77/95-आई आर (सी-II)]

लौसी माऊ, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 64.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workman, which was received by the Central Government on the 9-12-1997.

[No. L-22012/77/95-IR (C-II)]

LOWLI MAO, Desk Officer

ANNEXURE BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial
Tribunal-I, Hyderabad.

Dated : 22nd day of November, 1997

INDUSTRIAL DISPUTE NO. 86 OF 1995

BETWEEN

The General Secretary, S.C. Mines.

Karmika Sangh (BMS)

Bellamalli

Petitioner/workman

AND

The General Manager,
S.C. Co. Ltd., Bellampalli

Respondent/
management.

APPEARANCES :

M/s. G. Vidyasagar, Smt. Udayasree and Sudhir Rao, Advocates for the petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, Advocates for the respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi, in its order No. L-22012/77/95-IR(C-II) has referred the following dispute u/s. 10(1)(d) and 2(A) of the I.D. Act, 1947, to this tribunal for adjudication :—

“Whether the action of the management in not rectifying the anomaly in promotion of Sh. V. Venkateshwarlu and B. Vasu Dev by preponing the dated of promotion to the date they were authorised to perform statutory duties on par with Shri Amos and others who are parties to the Award of Industrial Tribunal (C), Hyderabad in I. D. No. 7 of 1982 is legal and justified. If not, to what relief the workman is entitled ?”

Both the parties appeared and filed their pleadings.

(2) The Vice President of the union filed a claim statement contending as follows :—

The union has filed a petition before the conciliation Officer with regard to promotion of V. Venkateshwarlu, B. Vasudev and J. Venkat Rao. The Government did not refer the case of J. Venkat Rao. The union addressed the Government and is waiting for amendment. B. Venkateshwarlu was initially appointed on 28-12-1973. On passing the trade test, he was authorised to work as Shot Firer with effect from 6-9-1976. He was promoted to 'C' Grade on 28-10-1978, as Overman with effect from 1-9-1980 and as Head Overman from 1-10-1990. Mr. B. Vasudev was appointed on 7-3-1973. He passed the Shot Firer examination on 22-1-1976 and was authorised to work as Shot Firer with effect from 1-6-1976. He passed Mining Sirdar's examination on 1-5-1975 and he was authorised to work as Mining Sirdar with effect from 17-7-1977. He was promoted as Shot Firer-D with effect from 1-1-1978 and Mining Sirdar from 1-1-1986 and Sr. Mining Sirdar from 1-10-1988. There was a settlement dated 28-9-1978. As per clause 11(D) it was agreed that all the categories of workers who are continuously acting without any interruption as Shot Firer, Mining Sirdar or Overman, as the case may be, for a year, will be confirmed reckoning the service from the date of such continuous acting for the purpose of increments. The workmen have been continuously acting as Shot Firer, Sirdar and Overman from the dates of passing the test and issued authorisation certificate also but they were confirmed in a later date. So they lost increments and seniority. In the similar case, this Tribunal passed an Award in I.D. No. 7/82 directing the respondent to confirm the workmen from the date of authorisation. Hence, the respondent may be directed to confirm the petitioner from the date of authorisation.

(3) The respondent filed a counter contending as follows :—

The claim is belated. It would cause Industrial unrest which has to be avoided by the Industrial adjudication. Many unions are formed but there were no elections. The workmen are not members of the union. There is no reference with regard to J. Venkat Rao. The workmen are authorised as Shot Firer, etc., when they passed the examination. Then they acted in leave vacancies and authorised absence of the regular workers. They are confirmed as and when the regular vacancy occurred. They cannot be confirmed from an earlier date. The aforesaid Tribunal passed an ex-parte award in I.D. 7/82. It cannot be a precedent for this dispute. The reference was dismissed.

(4) The Vice President of the union is examined as WW1 and he filed Exs. W1 to W18. The Personal Officer of the respondent office is examined as MW1. He filed exhibits M1 to M3.

(5) The point for consideration is :—

“Whether the management should confirm the two petitioners from the date of authorisation ?”

(6) Point :—The point in dispute is in a very narrow compass. Mr. Bandari Vasudev joined the service in the company as General Mazdoor on 7-3-1973. Similarly, Mr. V. Venkateshwarlu joined as Badli Worker on 28-12-1973. These workers have to pass the Shot Firer examination and also Gas testing examination conducted by the Director General of Mines Safety, Dhanbad for promotion as Shot Firer, Mining Sirdar and Overman, when they passed the examination they will be authorised to act as Shot Firers. Initially, they worked as Shot Firers the leave vacancies or vacancy caused by the sudden absence of a regular worker. They will be appointed in the regular post as and when the vacancy arises. Mr. B. Vasudev appeared for Mining Sirdar examination directly on 1-5-1977. So he was given Ex. W1 authorisation to act as Shot Firer as and when required. His contention is he has been acting as such continuously whereas the contention of the respondent is that he is acting as shot firer now and then only in casual vacancies. Ultimately, he was posted in regular vacancy by Ex. W2 order dated 1-1-1978 by Addl. General Manager. Subsequently, he got promotions as Mining Sirdar, Overman and head overman. He is acting as such at present.

(7) The other workmen V. Venkateshwarlu passed the examination by 2-8-1976. He was given Ex. W7 authorisation on 6-9-1976 to work as Shot Firer when ever required. His contention is that he has been working as such continuously whereas the respondent contends that he was working in leave vacancies only. He was initially appointed as Shot Firer, Gr. D and later promoted to Shot Firer grade 'C' from 28-10-78. He was also further promoted as Mining Sirdar on 1-3-1980, as Overman on 1-9-1980 and as Head Overman on 1-10-1990.

(8) There was a settlement Ex. W3 (Ex. M1) entered into by the management and the two unions. Clause 11 deals with mining staff. Clause 11(D) reads as follows :—

“Other categories of workers who are continuously acting without any interruption as Shot Firers, Sirdars or Overman as the case may be for over a year, will be confirmed reckoning their service from the date of such continuous acting for the purpose of increments.”

(9) The petitioners contend that they have been working as Shot Firers, Sirdars or Overman from the date of authorisation continuously but they were confirmed in the said post as and when a regular vacancy arose only and not from the date of authorisation in violation of clause 11(D) of the settlement. The contention of the respondent is that the petitioners worked now and then in casual vacancies only and not continuously. Both the parties did not adduce documentary evidence in support of their respective contentions. The petitioners could have filed the pay slips issued to them to prove that they have worked continuously as Shot Firers, etc. The respondent could have filed the attendance registers and office copies of pay slips. No doubt this dispute is raised long after the right accrued. The petitioners may not retain the pay slips. The respondent of the organisation should keep their registers in tact. The learned advocate for the petitioner cited (1985) 4 Supreme Court cases 201=1986(1) LLJ page 127 H.D. Singh vs. Reserve Bank of India in which the Supreme Court held that when the management does not produce the attendance registers to controvert the workmen's claim that he worked for 240 days, an adverse inference has to be drawn against the management and the workmen's case has to be accepted. If this principle is applied, the petitioner's case has to be accepted. However, the settled seniority of other workmen who are not made parties to this dispute cannot be unsettled by this belated claim of the petitioners.

(10) In the above circumstances, an Award is passed as follows :—

(i) The two petitioners shall be confirmed as Shot Firers, in Gr. B and C, Mine Sirdars, Overmen and Head Overmen from the dates they have been acting as such under an authorisation and they shall be paid the increments, etc. from the initial date of authorisation.

(ii) The present seniority position could not be disturbed as the petitioners made belated claim and also as the other affected employers are not made parties to this dispute.

Dictated to the St. Stenographer, transcribed by her, corrected by me and given under my hand and the seal of this Tribunal, on this the 22nd day of November, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

witnesses examined for the petitioner :—

Witness examined for the respondent :—

WW1 : Paddapalli Gattaiiah 1 : M. Seshiah
Documents marked for the workmen/petitioner :—

Ex. W1 : Authorisation dtd. 22-12-1976 given to Bandari Vasudev to act as Shot Firer issued by Colliery Manager, Boipalli No. 1, Incl. Colliery.

Ex. W2 : Promotion given to B. Vasudev as Shot Firer Gr. D by Addl. General Manager, Bellampalli area, dtd. 3-1-1978.

Ex. W3 : Memorandum of settlement dtd. 28-9-1978 u/s. 12(3) of the I.D. Act

Ex. W4 : Award passed by this Tribunal in I.D. No. 7/82 dtd. 17-2-1987.

Ex. W5 : Appointment dtd. 3-1-1986 issued to B. Vasudev as Mining Sirdar by the Colliery Manager, Mahaveerkhani No. 6, Incl. Colliery.

Ex. W6 : Representation dtd. 18-1-1989 made by Bandari Vasudev to the Chief Administrative Officer, S.C. Co. Ltd. Bellampalli.

Ex. W7 : Authorisation dtd. 5-9-1976 given to V. Venkateshwarlu to act as Shot Firer.

Ex. W8 : Office order dtd. 13-3-1979 ordering promotion from Grade D to Grade C to certain persons w.e.f. 28-10-1978.

Ex. W9 : Office order dtd. 18-9-1980 promoting V. Venkateshwarlu as Overman.

Ex. W10 : Office order dt. 8-11-1990 issued to certain persons in accordance with settlement dtd. 10-10-1987 who have completed 10 years of service.

Ex. W11 : Representation given to the Asstt. Labour Commissioner, Mancherial by the General Secretary.

Ex. W12 : Management views.

Ex. W13 : Failure report.

Ex. W14 : Registration of certificate of Trade Union.

Ex. W15 : Authorisation letter given to the Union of WW1.

Ex. W16 : Letter addressed to the management informing the body of the Union.

Ex. W17 : Annual returns submitted by the Union upto March-1996.

Ex. W18 : Letter addressed to the management communicating the names of the protected workmen of the union.

Documents marked for the Management :—

Ex. M1 : Settlement dtd. 28-9-1978 xerox copy.

Ex. M2 : Xerox copy of service register of Mr. V. Vasudev

Ex. M3 : Xerox copy of Service register of Mr. V. Venkateshwarlu.

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 65.— औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-97 को प्राप्त हुआ था।

[संख्या एल-22012/139/96-आई.आर. (सी-II)]

लौली माऊ, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 65.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workman, which was received by the Central Government on 9-12-97.

[No. L-22012/139/96-IR C-II)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 28/97

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Nimcha (R) Colliery of E.C. Ltd

AND

Their Workman

APPEARANCES :

For the Employers—None.

For the Workman—Sri S. K. Pandey, General Secretary.
Industry : Coal. State : West Bengal.

Dated, the 1st December, 1997

AWARD

1. The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/139/96-IR (C.II) dated 19-8-1997.

SCHEDULE

"Whether the action of the management of Nimcha (R) Colliery of ECL in not accepting the date of birth i.e. 1-4-54, declared by the workman Sh. Baleshwar Yadav, or in not sending him for reassessment to the Apex Medical Board is legal and justified? If not, to what relief is the workman entitled?"

2. The admitted procedure for determination of age dispute is contained in the guidelines provided by Implementation Instruction No. 76. It says that a service extract incorporating the date of birth as recorded in the 'B' form register would be prepared and issued to each of the respective employees and that if the recorded age is found to be incorrect the employee is to bring it to the notice of the authority by putting his protest in the space given in the format itself. It further says that if any apparent variance is there in relation to other official records or if there is apparent glaring incorrectness in the service extract, the case of the employee would be referred to the Age Determination Committee of the respective Area Unit, whose opinion would be final in the matter.

3. According to the version placed by the Union, what had happened was that including this concerned workman, cases of other employees were referred to the respective age determination committee, because of protest against the recorded age in the service extract for apparent glaring incorrectness. The Union says that very strangely the age determination committee reported the age of the concerned workman to be more by 5 years than the age recorded in the service extract and that similar was the report in respect of the other employees. The Union alleges that it happened because of some improper conduct by members of the committee and that the matter went ultimately to the hands of CBI for enquiry into the alleged impropriety. The Union now says that the management for some unknown reason ultimately failed in giving appropriate response to the age dispute raised by the concerned workman and that accordingly the matter had to be re-agitated in the form of an industrial dispute.

4. The management did not submit its statement of facts and did not even appear in spite of notice by the Tribunal.

5. The facts alleged by the Union in course of the industrial dispute therefore remain unchallenged, the same having not been controverted by the management. This reason itself is sufficient to justify acceptance of truth of the facts placed by the Union. Apart from that photocopy of letter No. ECL CMD/C-6/WBF-27/2169 dated 14-9-93 of the Addl. C.P.M. addressed to the General Secretary of the Union reflects that records concerning the concerned workman and others were in fact seized by the CBI. The fact reflected by this document lends support to the total version lodged by the Union. One would surely be inclined to question correctness of the report by the age determination committee that age of the workman was rather more by 5 years, when he was stating that his age was less than the recorded age.

6. Against such a factual background the appropriate solution would be to refer the age dispute of the concerned workman to the Apex Medical Board for determination of his age.

7. The reference is accordingly answered *ex parte* in favour of the workman and the Tribunal gives the award that the case of the workman be referred by the management to Apex Medical Board and that report/opinion of the Board be treated as final. Direction in the award be carried out within 30 days of beginning of its operation.

R. S. MISHRA, Presiding Officer.

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 66.— औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इन्डिय.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-12-97 को प्राप्त हुआ था।

[संख्या एल-22012/140/95-आई.आर. (सी-II)]

लौली माऊ, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 66.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bombay No. 2 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W.C. Ltd. and their workman, which was received by the Central Government on 8-12-1997.

[No. L-22012/140/95-IR C-II]
LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. II

MUMBAI

PRESENT

SHRI S. B. PANSE
Presiding Officer

REFERENCE NO. CGIT-2/24 of 1995
Employers in relation to the management of

W. C. L., Bellora Sub-Area

AND

Their Workmen

APPEARANCES

For the Employer : Mr. P.G. Jahagirdar
Representative.

For the Workmen : Mr. S. P. Singh.
Representative.

MUMBAI, dated 18th November, 1997

AWARD PART II

On 6-3-1997 by Part-I Award I came to the conclusion that the domestic inquiry which was held against the workman was against the principles of natural justice and the findings of the inquiry officer are perverse. By this Award I decide the remaining issues.

2. Lomesh Maroti Kharthar the workman was a Dozer Operator at Bellora Open Cast Mine of Sub-Area Ghugus of Wani Area of W.C. Ltd., He pleaded that he fell sick on 14-10-1991 and informed the management regarding his sickness by sending medical certificate. He started taking treatment from Private

Doctors as he could not get good results from the Colliery Doctors. He was verbally informed by the Colliery doctor to take treatment from outside. It is asserted that he was ill between 14-10-91 to 23-12-1993. On different occasions he had produced medical certificate to support his sickness.

3. When he reported to duty he was not allowed to join the same and a charge-sheet was issued to him contending that he remained absent from duty without sanctioned leave or sufficient cause for over staying beyond ten days for sanctioned leave. The inquiry officer found him guilty. The disciplinary authority then terminated his service from 22-3-1994.

4. The management was given an opportunity to substantiate its action by Part-I Award.

5. Now the issues that fall for my consideration and my findings thereon are as follows :

Issues	Findings
3. Whether the action of the management in terminating the service of Shri Kharthar Ex-Dozer Operator is justified?	Yes.
4. If not, to what relief the workman is entitled?	Does not survive.

REASONS

6. The management examined Shri Anand Hari Bhau Labhe, Office Superintendent, Bellora (Exhibit-46), Shri Dendukari Srinath Shomeswar Rao (Exhibit-47) Manager and Dr. K. Devi Prasad (Exhibit-48) Medical Superintendent Ghugus Open Cast Dispensary As against that the workman examined Shivalpal Singh (Exhibit-50), the Joint Secretary of the Union. Both the parties relied upon the documents produced on the record.

7. Anand Labhe the Office Superintendent affirmed that the worker was absent from 15th October, 1991. The extract from attendance register is at Annex-'B'. It reveals that on 14th October, 1991 the workman was shown to have been on vocational training and from 15-10-91 he is shown absent. He has also produced 'G' register which deals with the leave account of the year 1991. He had produced the statutory register form 'E' and also produced the copy of the 'G' register showing the month-wise

attendance of the worker. From the copy of the bonus register it reveals his quarterly attendance of the earlier period. In fact there is no need to look into the earlier period because the question is to be decided on the basis of the allegations mentioned in the Chargesheet. There is no dispute that on the point that the worker remained absent from duty, from 15th October 1991 to 23rd December 1993. In short his case is that as his non-attending the duty is justified, due to his sickness. On the other hand it is contention of the management that he was not sick or at the most he was not so sick to attend the doctor of the colliery or to attend duties.

8. It is tried to argue on behalf of the management that the contention taken by the workman that he fell sick on 14-10-91 and was advised rest from that day does not appear to be proper. It is tried to argue that it was impossible for him to inform the management on the very day regarding his sickness as he attended the duty on that date and went to his home. It is therefore submitted that he never informed the management on that date. It is quite likely that while going home he might have seen the doctor and the doctor advised him rest. It might have happened that while attending the duty he might have seen the doctor and the doctor advised him rest but he decided to do the work on that date. Attending the duties on 14-10-1991 and the mentioning of that date in the medical certificate has not created much problem as tried to be raised by the management.

9. The contention taken by the management that the worker had send that certificate of Dr. Barapatre only when the first show cause notice dated 15-10-91 was issued to him. Again on 25-12-91 his explanation was called. In response to it the workman had written a letter dated 3-1-1992 alongwith the said medical certificate. I find substance in it. The medical certificate must have been send to the management along with the explanation and not earlier. It is supported by another evidence also. If really he would have send that medical certificate it should have been accompanied by a leave application or a letter forwarding the medical certificate informing his sickness. No office copy of such letter or an application is produced. It is the contention of the management witnesses that they did not receive the same. Under such circumstances I find that the

first medical certificate must have been submitted by the workman only after his explanation was called for.

10. The manager, Mr. Rao affirmed that he asked the worker by his letter dated 18/19th January 1992 to appear before the Medical Officer for check up within seven days. Admittedly the workman did not comply with the orders. Thereafter in the month of February, 1992 the manager again called his explanation. The workman gave reply to it on 17-2-92. He informed that he is sick and taking treatment from a private doctor. Again the manager wrote him on 22-1-1992 and 4-3-1992 and advised him to see the medical superintendent for his sickness. The workman gave reply to it on 11-3-1992 stating that he is advised bed rest. It is pertinent to note that none of the medical certificate speaks of bed rest. The explanation which was send was not accepted by the management and therefore the departmental inquiry was ordered.

11. Rao affirmed that even though the departmental inquiry was ordered he waited for a long time with a view that the worker should appear in the domestic inquiry. It is tried to suggest that in paragraph-18 of his examination-in-chief the management accepted the sickness of the worker. On the contrary Rao explained in his cross examination that the sickness was not admitted but the worker should not take an opportunity for not attending the domestic inquiry. It was decided to take action at the later stage. Thereafter in the month of 11-12-1993 the chargesheet was issued to the workman. The workman gave his explanation on 25-12-1993. His explanation was not accepted. Management by its order dated 9-1-94 ordered the inquiry was ordered. The inquiry officer give the report dated 21st January 1994.

12. The worker did not enter into the witness box. In fact it was his duty to examine himself and explain the circumstances. On the other hand he chose to examine the Union Secretary as his witness. By no stretch of imagination it can be said that he knew each and every circumstances of the workman which compelled him not to attend the duties. Singh the witness for the workman in the cross examination accepts the fact that he had taken the matter of the worker from 31-8-1994. Prior to it the C.I.T.U. union was handling the case

of the worker. It is rightly argued on behalf of the management that the worker did not enter into the witness box because he was afraid that he will speak the truth. I find substance in it. His son appearing before the Tribunal and leading evidence to justify his action supports the case of the management that there was no sufficient cause for the worker to remain absent from duty.

13. The case is tried to be made out that the workmen was suffering from contagious and chronic skin disease with high B.P. This is affirmed by Singh. Now it is to be seen whether it is correct on the basis of the medical certificate. The certificate issued by Dr. Barapatre dated 14-10-1991. The disease mentioned is "Ezernation demations". The second certificate which was issued by Dr. D. R. Jougad dated 21-10-1982 refers to the disease called 'Septic Demti-tic'. Thereafter certificate issued by Dr. A. G. Sapate gives the name of the disease as 'Amebic Hepatitic Septic Dermatitis'. There is no mention of High B. P., nor any doctor recommended for pay raise. It can be further seen that Singh in his cross examination admits the position that in these 26 months the worker was not bedridden but he was in a position to move for little distance. It is not in dispute that initially the worker had taken treatment from colliery dispensary. But the papers were not produced on the record.

14. Dr. Deviprasad affirmed that the worker was never informed to get treated from a private doctor as claimed by him. He affirmed that if the worker had taken treatment at the Bugus Open Cast dispensary he would have been issued with an O.P.D. slip and treatment prescriptions from time to time and referred to the arca hospital for specialist treatment if required. It is tried to bring on record on behalf of the worker that the treatment in the dispensaries of the colliery are costlier and not beneficial. I am not inclined to accept that they are costly. It is always seen that the companies or the Government is providing medical treatment at a very negligible cost as compared to the private treatment. So far as the results are concerned nothing can be said. But the contention taken by the workman is that he did not take the treatment from the company's dispensary because it is costlier is without any basis. No doubt he got every right to take treatment from private doctor if he finds that he is not

getting results. But as he is in service he has to justify that he is sick and getting treatment from private doctor. He has to see the company's doctor to get certified that he is sick as directed by the manager.

15. The Learned Representative for the workman argued that as there are no rules that the manager can direct to appear before medical officer it cannot be said that he had committed an illegality. The manager affirmed that when it is found that the reasons given by the workman are not genuine, which is he got every right to refer the workman to the Colliery's Doctor. Here in this case as the workman was sending medical certificate repeatedly I find that the Manager got every right to send the workman to the companies doctor for verifying the corrections of the sickness. It is tried to argue on behalf of the worker that the doctor had affirmed that the private medical certificate produced by the workman were send to him for verification and he had not written any letter regarding invalidity of it. By this testimony it cannot be said that the doctor accepted that whatever stated in the medical certificates are true and correct. He has to see the workman and then certify regarding the correctness of these certificate. But as the workman never appeared before the doctor he could not ascertain the correctness therein.

16. The Learned Representative placed reliance on Northern Railway Co-operative Credit Society Industrial Tribunal. Jaipur 1967 II LJ 46. That was a case wherein the workman were asked to attend the medical examination in accordance with the Hon. Secretary's letter which they did not. Therefore there was a charge against them regarding disobeying the orders of the superiors. Their Lordships observed that as there were no rules directing the workers to appear for medical examination it cannot be said that there is disobedience of the superiors order. The facts of that case are different from the facts before me. Here there is no charge of disobedience. But, the circumstance is tried to bring on the record that to ascertain the genuineness of the workers medical certificate he was asked to appear before the company's doctor but he did not. It is not that the worker was charged for disobedience. But the charge is quite different which I have already referred to above. This is the circumstances, which

reveals that there is no genuinness in the ground which he is put forward by the worker for not attending the duties. I find substance in it. The ratio in the above said authority has no application to the set of facts before me.

17. It is tried to argue on behalf of the workman that there are seven types of leaves. So far as sick leave is concerned it cannot be taken in advance. This is a logical argument because unless the person is sick he cannot ask for sick leave and one does not know when he will be sick. It is not in dispute that when a workman falls sick and if he is resident of up to the distance of 8 kms then he has to take treatment from colliery dispensary or area hospital. But the workers who are living beyond 8 Kms. may take treatment from out side. Only intimation by registered post or telegram is sufficient. It is tried to submit that certificates submitted by the workman from time to time from different medical practitioners are lawful and valid proof of illness. I am not inclined to accept this submissions. In normal course the management accepts the medical certificate. This is a peculiar case. The workman remained absent continuously on the ground of sickness. He was advised to see the company's doctor which he did not. It is therefore justifiable on the part of the management to raise a doubt regarding the alleged sickness. Here before the Tribunal the workman did not enter into the witness box nor examined any of the Doctors certifying his sickness to be true. Not only that he had not produced any of the prescriptions given to him by the doctor. No doubt at the time of argument along with the written argument (Exhibit-56) some medical bills are produced. They cannot be relied at all. It is an after thought. Singh in his cross examination admits that the certificate of Dr. Barapatre is for the period from 14-10-91 to 13-11-1997, that of Dr. Ganesh Mastwar Homeopathy doctor between 15-11-91 to 12-1-1992, that of Dr. D. K. Jogad Ayurvedic doctor from 7-10-92 to 7-11-92, and that Dr. Sapate from the period 1-11-92 to 22-12-92. The total period is of 26 months. According to the witnesses the whole period is covered. Looking to the certificates it reveals that as far as the period between 13-1-1992 to 6-10-1992 is concerned there is no medical certificate. I have already mentioned

above that none of these medical certificate speaks of bed riddance of the worker. It was therefore necessary for him to approach the manager and bring to his notice. He was going to Chandrapur for taking treatment which is obviously at a long distance. It is therefore necessary for him to see the manager and explain the circumstances which he did not. It therefore speaks that the reasons which are put forward for remaining absent are not genuine and he was not so sick for not attending the duties.

18. It is tried to argue on behalf of the worker that NCWA III, IV and V and medical rules indefinite absence on account of sickness and merely giving information about sickness to the management is sufficient. But no rules were shown to me to substantiate the same. For the reasons stated above I have come to the conclusions that the reasons shown by the worker for not attending duty or in other words over staying beyond ten days after sanctioned leave is not justified. The causes which are tried to be shown are not sufficient causes. They do not appear to be genuine one.

19. It is tried to argue on behalf of the workman that the action which is taken by the management is severe one and disproportionate to the charges proved. In normal course if it would have been said that the worker was sick and therefore could not attend the duties in that case such a severe action should not have been taken. But here in this case the cause of sickness could not be proved by the worker. He was not ready to attend the dispensaries of the Colliery to show his genuinness. The work which was done by the worker was of an important nature. The working of the company suffered due to his absentism. The approach of the workman appears to be that he could do whatever he wants. Even then the management could not do anything to him. I have to say so because otherwise on the suggestion of the manager he would have seen the doctor of the Colliery. I therefore find that the action taken by the management is fully justified. In the result I record my findings on the issues according and pass the following order :—

ORDER

The action of the Sub Area Manager, W.C.L. Bellora Distt. Yeotmal vide letter No. WCL/WA/SAM/BSA/per

561 dated 22-3-1994 in terminating the services of Shri Lomesh Waf Prasad, Maroti Khartad, Ex. Dozer Operator, Bellora Opencast Mines WCL is justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का.आ. 67.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विषय में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रशक्ति करती है, जो केन्द्रीय सरकार को 9-12-97 को प्राप्त हुआ था।

[संख्या एल-22012/497/94-आई.आर. (सी-II)]

लोली माऊ, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 67.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. B.C.C. Ltd. and their workman, which was received by the Central Government on the 9-12-1997.

[No. L-22012/497/94-IR (CII)]

LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 30/95.

PRESENT :

Shri R. S. Mishra, Presiding Officer

PARTIES :

Employers in relation to the management of Damagoria Colliery under Victoria Church Area of M/s. B.C.C. Ltd.

AND

Their Workman

APPEARANCES :

For the Employers : Shri P. K. Mahapatra, Sr. Personnel Officer.

For the Workman : Shri S. K. Singh, Branch Secretary.

INDUSTRY : Coal STATE: West Bengal

Dated, the 1st December, 1997

AWARD

1. The Government of India in the Ministry of Labour in exercise of the powers conferred on them by column (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/497/94/IR(C-II), dated 26-5-1995.

SCHEDULE

"Whether the management of Damagoria Colliery under Victoria Church Area of M/s. B. C. C. L. was justified in not getting the age of Shri Manohar Bouri, Fitter, assessed through Medical Board? If not, to what relief the workman is entitled?"

2. Guidelines or settling questioned correctness of entries concerning date of birth in respect of employees of the management are contained in Implementation instruction-76.

3. The Union says that date of birth of the concerned workman as recorded in the 'B' form register is different from the age shown in his identity card issued by the management and the age shown in his School Leaving Certificate. The Union further says that in spite of such variance, the case of the concerned workman was not referred to the age determination committee.

4. The management's stand is that the service extract of the workman prepared in pursuance of implementation instruction-76 was issued to him. But he did not protest against the recorded age that he was 32 years old in 1972 and so his case was not referred to the committee.

5. At the time of hearing the original 'B' form register was produced by the management. The initial entry therein was that he was 34 years old. It is struck out and is corrected to 31. Below it, the endorsement 6th July, 1942 mentioned. None make out the age of 32 years in 1972. Also strangely the original recording of age in the service extract was 14-1-1944 and it is corrected to make it 32 years in 1972. It is clearly visible. The correction is not authenticated under the signature of the person who prepared the service extract. Hence it is doubtful that when the service extract was issued to the workman, it contained the figure "32 years in 1972".

6. Appropriate solution would be to refer the dispute to the age determination committee.

7. Hence the reference is answered in favour of the workman. His case be referred to the age determination committee for assessment of his age(within 30 days from beginning of operation of the award.

8. Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 12 दिसम्बर, 1997

का. भा. 68.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी. एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-12-97 को प्राप्त हुआ था।

[संख्या एल-22012/541/94-आई.आर.-सी-II]
लोली माऊ, डेस्क अधिकारी

New Delhi, the 12th December, 1997

S.O. 68.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.C.C. Ltd. and their workman, which was received by Central Government on 9-12-1997.

[No. L-22012/541/94-IR-C II.]
LOWLI MAO, Desk Officer

ANNEXURE

BEFORE THE CHAIRMAN, INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I, Hyd.

Dated the 21st day of November, 1997

INDUSTRIAL DISPUTE NO. 47 OF 1995

BETWEEN :

The General Secretary, Singareni Collieries Clerical Association, Qr. No. D-16, Ramanagar, 504231 (A.P.) ..Petitioner/
Workman.

And

The Chairman and Managing Director, Singareni Collieries Co. Ltd., Kothagudem-507 101, Khammam Dist. A.P.
Respondent/Management

APPEARANCES :

M/s. K. Vasudeva Reddy and P. Ramesh Babu, advocates for the petitioner.

M/s. K. Srinivasa Murthy and G. Sudha, advocates for the respondent.

AWARD

The Govt. of India, Ministry of Labour, New Delhi had referred the following dispute in its order No. L-22012(541)/94-IR-C. II, dated 2-3-1995 under sections 10(1)(d) and 2(A) of the I. D. Act, 1947, to this Tribunal for adjudication :—

"Whether the management of Singareni Collieries Co. Ltd. is justified in utilising the services of Sh. M. Babu as Pit Office Assistant by paying acting/officiating allowance since 1981 till date without confirming in the post ? If not, to what relief is the workman entitled to ?"

Both the parties appeared and filed their pleadings.

(2) The General Secretary of the Clerical Association filed a claim statement on behalf of the workman Mr. M. Babu Rao, hereinafter to be called as petitioner contending as follows :—

The petitioner Mr. M. Babu Rao was appointed as 'Clerk-Gr. II' on 23-4-1979 and posted to D.S. Rg. IV. He was transferred and posted in OCP-I in the month of July 1979. He is a graduate. There is a post of 'Pit Office Assistant' in each mine and department of the respondent. The Pit Office Assistant hereafter to be referred to as POA are to supervise all the clerical staff and to ensure smooth functioning of the office work. He will be paid B-Grade salary. The post of POA was lying vacant in OCP-I by the time the petitioner joined OCP-I and so the authorities found it difficult to carry the work in the office. So, he was asked to

discharge the duties of POA. He worked as such till 13-8-1980 when Sri Rajendra Kumar joined as POA. He resigned his job and so the petitioner has been working as POA with effect from August, 1981. He is continuing to do the work as such till now. The respondent management posted Sri Pattabhi Ramulu and Sri B. V. Ramana Murthy, the Sr. Clerk, one after the other to work as POA. They worked for sometime and went away after expressing their unwillingness to continue as such Assistant. The petitioner was again asked to work as POA from 5-5-1985 and he was paid officiating allowance as POA till now. The petitioner was also sent to computer training. The petitioner has been requesting the management to confirm as POA but the management did not do so. Hence, the dispute is raised.

(3) The respondent filed a counter contending as follows :—

The dispute is not maintainable as the petitioner is not a workman. He is working as 'Pit Office Assistant' in the supervisor capacity and drawing more than Rs. 1600 per month. So, he is not a workman within the meaning of Sec. 2(5) of the I.D. Act. It is the prerogative of the management to create the post of Pit Office Assistant which are of selection grade. Earlier they were filled up by external and internal candidates. There was settlement between the management and the union on 3-3-1989 u/s 12(3) of the I.D. Act. It was agreed that the post of POAs shall be filled up by internal candidates only subject to candidates being graduate and working in Gr. 1 for five years and also subject to qualifying in the prescribed test. The petitioner cannot question the said settlement. The Supreme Court and High Court held that when the employee is instructed to work in a superior post on a officiating capacity, it does not confer any right upon him. The petitioner has been working as POA from 5-5-1985 only. He did not work as such earlier. He was permitted as Grade-I clerk from 1-6-1985. He was having 5 years of experience by the year 1990 and became eligible to appear for the test. There were 22 vacancies of POAs in the year 1991. The petitioner applied for the same and appeared for for written test. He secured 52nd rank. He could not be selected. He filed a Writ Petition in the High Court and obtained interim order for continuing him till the finalisation of conciliation proceedings. The conciliation proceedings ended in failure on 29-6-1994, and this reference is made. The petitioner is not entitled to be confirmed as POA in view of the settlement. The reference is liable to be rejected.

(4) The petitioner examined himself as WW1 and filed Exs. W1 to W8. He also examined another workman WW2 to speak to the fact of the petitioner working as POA since May, 1984. The respondent examined the Dy. Personnel Manager as MW1 and filed Ex. M1 to M22.

(5) The point for consideration is :—

'Whether the respondent is justified in not confirming the petitioner in the post of POA ?'

(6) Point.—The petitioner joined the service of the respondent on 23-4-1979 as clerk Gr. II. He was initially posted in the office of Divisional Superintendent, Ramagundem, Division-IV and transferred to the Open-Cast Project-I in July, 1979. He claims to be acting as POA which is of superior cadre since about 1979. The respondent disputes the same. The respondent admits that the petitioner has been acting as POA since 5-5-1985 till now with some gaps. The petitioner did not file any order by which he was asked to officiate as POA earlier to 5-5-1985. He filed some instructions of the superior officers given prior 1985 and wants the court to draw an inference that he worked as POA even before 5-5-1985. Such an inference cannot be drawn. An way the fact as to whether he worked as POA prior to 5-5-1985 is not relevant for the reason that though he worked for few days as POA before the date admitted by the respondent, it does not confer any right upon him.

(7) The respondent admits that the petitioner has been working as POA since 5-5-1985, till now with some gaps in between. The petitioner claims that he should be confirmed in the post of PAO as he has been acting as such atleast from 5-5-1985. The petitioner is not entitled for confirmation for the following reasons. There was settlement M12 on 3-3-1989 between the management and 6 unions out of which the union that sponsored the case of petitioner is one. It was agreed that the post of POA shall be filled up by promoting the internal candidates possessing the following qualifications :—

(i) Graduate

(ii) Should have served for 5 years in Grade-I.

(iv) He should pass the prescribed test.

(8) The petitioner is a graduate. He was promoted as Grade-I Clerk in 1985 and so he completed 5 years service in 1990. He appeared for the test conducted in 1991 and secured 52nd rank. There were 22 posts only and at that time, so he was not promoted. The petitioner having failed in his attempt to secure promotion on merit, now wants promotion with the qualification of acting as POA for a long time. The fact that inspite of acting as POA for 6 years as per the respondents and for 12 years as per himself, he could not secure a good rank. So, he is not efficient in work and did not acquire the necessary knowledge to work as POA.

(9) The petitioner cannot approbate and reprobate. He having appeared for the written test for selection on merit and having failed in it cannot claim any right on the basis of his previous experience. So he is not entitled to any relief. The Award dated 11-3-1988 of this court in I.D. 70/84 is not relevant for this case as the said Award was passed before the settlement Ex. M-12.

(10) In the result, an Award is passed holding that the respondent is justified in not regularising the service of the petitioner.

Dictated to the Sr. Stenographer, transcribed by her, corrected by me, given under my hand and the seal of this Tribunal on this the 21st day of November, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I
Appendix of Evidence

Witnesses examined for

the petitioner :—

WW1 : M. Babu Rao.

WW2 : V. Gopal Reddy.

Witnesses examined for the

respondent :—

MW1 : A. Potha Raju.

Documents marked for the petitioner/workman :—

Ex. W-1 : Office order dated 5-5-1985 of the Addl. CME RGV issued to Shri M. Babu Rao authorised to work as POA.

Ex. W-2 : Representation dated 10-1-1989 submitted by WW-1 for promotion to the post of POA.

Ex. W-3 : Acknowledgement dated 2-2-1989 to Ex. W-2.

Ex. W-4 : Application dated 5-9-1991 submitted by M. Babu Rao to the General Manager, S.C.C. Ltd., Kothagudem.

Ex. W-5 : Notice dated 30-7-1991 informing the monthly rated employees of S. C. Co. Ltd. that the pay slips are computerised.

Ex. W-6 : Memo issued to Shri M. Babu Rao dated 25-3-1990 by SOM OCP-I, RG.

Ex. W-7 : Letter dated 10-11-1988 issued to the Chief Planning Officer by the General Manager (Proj) Godavari Khani.

Ex. W-8 : Award copy of I. D. 70/84 dated 11-3-1988.

Documents marked for the respondent :—

Ex. M-1 : Letter dated 19-9-1984 given by B. V. Ramana Murthy, Clerk Gr. I, OCP RG/requesting to cancel the POA officiating.

Ex. M-2 : Letter addressed to the Col. Manager requesting for removal of huts.

Ex. M-3 : Endorsement on Ex. M-2.

Ex. M-4 : Endorsement on Ex. M-5.

Ex. M-5 : Letter dated 28-12-1979 of Sr. E. E(C) RG requesting for Surface Latrines at open cast.

Ex. M-6 : Endorsement on Ex. M-7.

Ex. M-7 : Letter dated 2-6-1980 of T. P. Message.

Ex. M-8 : Endorsement on Ex. M-9.

Ex. M-9 : Letter dated 8-8-1979 of the D.S. OC to Manager, Open cast.

Ex. M-10 : Letter of the Agent OCP-I, GDK to the General Manager (Proj.) Ramagundem, dated 27-1-1992).

Ex. M-11 : Office order dated 17-4-1991 of the Colliery Manager (Open Cast Proj.) GDK regarding verification of the inward letters by Shri M. Babu Rao.

Ex. M-12 : Copy of the settlement entered between the workmen and the management.

Ex. M-13 : Comments of G. M. RGP dated 26-3-1992.

Ex. M-14 : Application dated 23-10-1991 given to the Assistant Labour, Commissioner (C), Mancherial regarding the absorption of Shri M. Babu Rao.

Ex. M-15 : Views/remarks dated 7-5-1994 submitted by the management to ALC, Mancherial.

Ex. M-16 : Minutes of the conciliation officer.

Ex. M-17 : View of the Management dated 29-12-1994 to the Ministry of Labour, New Delhi.

Ex. M-18 : Transfer order dated 16-9-1992 issued to WW-1.

Ex. M-19 : Letter dated 19-9-1992 addressed by the Union for re-transfer WW-1 to Open cast Mine, GDK.

Ex. M-20 : Letter addressed by the Union dated 29-9-1992 for interview with Chairman and M. D., S. C. Co. Ltd.

Ex. M-21 : Office order dated 14-10-1992 re-transferring the WW-1.

Ex. M-22 : Failure report dated 24-6-1994 submitted by ALC.

शुद्धि पत्र

CORRIGENDUM

नई दिल्ली, 24 दिसम्बर, 1997

New Delhi, the 24th December, 1997

का.आ. 69.—भारत के राजपत्र के भाग II, खंड-3, उप-खंड (ii) में दिनांक 20 सितम्बर, 1997 को प्रकाशित श्रम मंत्रालय की दिनांक 8 सितम्बर, 1997 की अधिसूचना कां.आ. 2385 के पैरा-1 में :

- (i) "1994" के स्थान पर "1991" पढ़ा जाये।
- (ii) "1997" के स्थान पर "1994" पढ़ा जाये।

[सं० एस-38014/55/92-एस०एम० I]

जय प्रकाश शुक्ला, अवर सचिव

S.O. 69.—In the Ministry of Labour Notification S. O. 2385 dated the 8th September, 1997 published in the Gazette of India, Part-II, Section-3 Sub-Section (ii) dated the 20th Sept., 1997, in paragraph-1 :

- (i) —For "1994" read "1991"
- (ii) —For "1997" read "1994".

[No. S-38014/55/92-SS. II]

J. P. SHUKLA, Under Secy.